



City of
LAUNCESTON

SPECIAL COUNCIL MEETING AGENDA

THURSDAY 2 APRIL 2020

AT THE CONCLUSION OF THE ORDINARY COUNCIL MEETING

City of Launceston

SPECIAL COUNCIL MEETING AGENDA

Thursday 2 April 2020

Notice is hereby given that a Special Meeting of the City of Launceston Council will be held at the Reception Room, Town Hall, St John Street, Launceston:

Date: 2 April 2020

Time: At the Conclusion of the Ordinary Meeting

Certificate of Qualified Advice

Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
 - (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



Michael Stretton
Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

RULES FOR PUBLIC COMMENT ON AGENDA ITEMS

Do you wish to speak to an item in the Agenda of the Council Meeting?

- You are invited to speak to an item on the Agenda.
- Please see the form called *Notice of Intention to Speak* (available outside the Council Chambers).
- Write your name and address against the Agenda Item to which you wish to speak.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- When invited by the Meeting's Chairperson, please move to the microphone in the public gallery and state your name and address.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chairperson may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

File No: SF2346
AR

Your Ref: Special Council Meeting

23 March 2020

Mr Michael Stretton
Chief Executive Officer
City of Launceston
P O Box 396
LAUNCESTON TAS 7250

Dear Michael

SPECIAL MEETING OF COUNCIL - 2 APRIL 2020

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* (Tas) which states:

4. *Convening council meetings*
 - (1) *The mayor of a council may convene -*
 - (a) *an ordinary meeting of the council; and*
 - (b) *a special meeting of council.*

I request that you make the necessary arrangements to convene a Special Meeting of Council following the Ordinary Council Meeting on 2 April 2020 to discuss the Community Care and Recovery Package.

Yours sincerely



Councillor A M van Zetten
MAYOR

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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.)

3 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

3.1 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.)

4 QUESTIONS BY COUNCILLORS

4.1 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.)

5 COMMUNITY AND PLACE NETWORK ITEMS**5.1 Delegations - LUPAA 1993 (Tas) - Council to Chief Executive Officer and Others - Temporary Arrangement During the COVID-19 Pandemic****FILE NO:** SF2378/SF0113**AUTHOR:** Philippa Glover (Team Leader Planning Assessments)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider a temporary delegation during the COVID-19 pandemic from Council to Chief Executive Officer, General Manager Community and Place and Manager City Development of particular powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)*.

RECOMMENDATION:

That Council:

1. Pursuant to section 6 of the *Land Use Planning and Approvals Act 1993 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Land Use Planning and Approvals Act 1993 (Tas)* specified in Column Two of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.
 2. Determines that the delegations made by this decision are for a period of six months or until it has been declared by the State Government that the COVID-19 pandemic is over, whichever is earlier.
 3. Determines that the delegations made by this decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Land Use Planning and Approvals Act 1993 (Tas)*.
 4. Pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations affected by these Recommendations.
 5. Notes, for the avoidance of doubt, the term Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*.
 6. Notes that the following table is the schedule referred to at Recommendation 1.
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5.1 Delegations - LUPAA 1993 (Tas) - Council To Chief Executive Officer And Others - Temporary Arrangement During The COVID-19 Pandemic ...(Cont'd)

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
<p>Chief Executive Officer</p> <p>General Manager Community and Place</p> <p>Manager City Development</p>	Section 57	<p>The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas); and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993</i> (Tas).</p> <p>A decision to grant or refuse a permit pursuant to section 57(6) can only be made by the holder of a position in Column One if the holder of each of the other two positions unanimously agree.</p> <p>A decision to grant a permit pursuant to section 57(6) cannot be made if it is reasonably foreseeable that the relevant project value is greater than ten million dollars exclusive of GST.</p> <p>A decision to grant a permit pursuant to section 57(6), may only be made if any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i>.</p>

5.1 Delegations - LUPAA 1993 (Tas) - Council To Chief Executive Officer And Others - Temporary Arrangement During The COVID-19 Pandemic ...(Cont'd)

REPORT:

As part of the City of Launceston's response to the COVID-19 Pandemic, measures have been put in place to minimise face-to-face interaction to slow the spread of the disease.

The proposed delegation of powers under section 57 of the *Land Use Planning and Approvals Act 1993* (Tas) ("the Act") will reduce the number of face-to-face interactions necessary to make a decision whether to grant or refuse a permit.

The proposed delegations include safeguards to ensure that members of the public are not unreasonably affected. Those safeguards are that:

- a decision to refuse or grant a permit must be a unanimous decision of the Chief Executive Officer, General Manager Community and Place, and Manager City Development; and
- if it is reasonably foreseeable that the value of a project will exceed ten million dollars exclusive of GST, the matter must be referred to Council.

The requirement for large projects to be referred to Council will ensure that Councillors are made aware of projects that have a significant potential to affect a large number of people in the community.

At present, when a development application receives two or more representations, the matter must be referred to Council for decision. The proposed delegations will remove this requirement by allowing the decision to be made by an informal panel of the three positions so delegated.

Importantly, appeal rights of representors will not be affected by this delegation.

All other delegations under the Act will remain unchanged.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

5.1 Delegations - LUPAA 1993 (Tas) - Council To Chief Executive Officer And Others - Temporary Arrangement During The COVID-19 Pandemic ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.
2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
4. To continually improve our service delivery via a continuous improvement mindset, pursuing efficiency gains and adopting technological and other process innovations.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

6 ORGANISATIONAL SERVICES**6.1 Partial Suspension of Council Meetings Policy (Frequency and Commencement Time) - 14-Plx-001****FILE NO:** SF0975**AUTHOR:** Leanne Purchase (Manager Governance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider suspending the requirement for Council to meet every second Thursday for the duration of the public health emergency in Tasmania.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 November 2018 - Agenda Item 19.1 - Council Meetings Policy (Frequency and Commencement Time) (14-Plx-001)

RECOMMENDATION:

That, for the duration of the public health emergency in Tasmania, Council:

1. Suspends the requirement for fortnightly Council Meetings to be held in compliance with the Council Meetings Policy (Frequency and Commencement Times) - 14-Plx-001 and
 2. Determines to meet once per calendar month as proposed by regulation 4(4) of the *Local Government (Meeting Procedures) Regulations 2015*; and
 3. Determines that the next ordinary Council Meeting will be held on Thursday, 14 May 2020, with Council Meetings thereafter to be convened by the Mayor or Chief Executive Officer, as provided for by regulation 4(1) and 4(5) respectively of the *Local Government (Meeting Procedures) Regulations 2015*; and
 4. Notes that further changes to the Council Meeting schedule may occur as a consequence of legislation that may progress through Parliament in response to local government business continuity during this public health emergency; and
 5. Notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993* (Tas).
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6.1 Partial Suspension Of Council Meetings Policy (Frequency And Commencement Time) - 14-Plx-001 ...(Cont'd)

REPORT:

The Council Meetings Policy (Frequency and Commencement Times) - 14-Plx-001 (the Policy) is attached for reference (Attachment 1).

The Policy requires that Council meets on alternate Thursdays:

Subsequent Council Meetings will be held on alternate Thursdays. If the Council Meeting falls on a Thursday that is a public holiday, the Council Meeting is held on the following Thursday and alternate Thursdays after that.

This report's Recommendation asks Council to suspend the above requirement for fortnightly meetings, in support of State and Australian Government directives to limit gatherings of people.

It is recommended that for the duration of the public health emergency in Tasmania, Council meets once per calendar month as proposed by regulation 4(4) of the *Local Government (Meeting Procedures) Regulations 2015*. With this in mind, it is further recommended that the next Council Meeting be convened for Thursday, 14 May 2020, with Council Meetings thereafter to be convened by the Mayor or Chief Executive Officer, as provided for by regulation 4(1) and 4(5) respectively of the *Local Government (Meeting Procedures) Regulations 2015*:

4. Convening council meetings

- (1) *The mayor of a council may convene –*
 - (a) *an ordinary meeting of the council; and*
 - (b) *a special meeting of the council.*

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- (4) *An ordinary meeting of a council is to be held at least once in each month.*
- (5) *The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*

Councillors are asked to note that further changes to the Council Meeting schedule, or the format of Council Meetings, may occur as a consequence of legislation that is understood will soon be progressed through Parliament to assist with local government business continuity during this public health emergency.

The community will be informed of changes to the City of Launceston's Council Meeting Schedule as required by regulation 7(4) of the *Local Government (Meeting Procedures) Regulations 2015*.

6.1 Partial Suspension Of Council Meetings Policy (Frequency And Commencement Time) - 14-Plx-001 ...(Cont'd)

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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.
2. To fairly and equitably discharge our statutory and governance obligations.

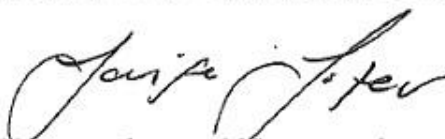
BUDGET & FINANCIAL ASPECTS:

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.



Louise Foster - General Manager Organisational Services Network

ATTACHMENTS:

1. Council Meetings Policy (Frequency and Commencement Time) - 14-Plx-001
-

6.1 Partial Suspension Of Council Meetings Policy (Frequency And Commencement Time) - 14-Plx-001 ...(Cont'd)

Attachment 1 - Council Meetings Policy (Frequency and Commencement Time) - 14-Plx-001**Council Meetings Policy (Frequency and Commencement Time)****PURPOSE**

To set the commencement times of ordinary Council Meetings to comply with regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, which states:

A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority.

To set the frequency of the ordinary Council Meetings.

To set the start time and day of Council's Annual General Meeting, to comply with section 72B(1)(a) of the *Local Government Act 1993 (Tas)* which states:

A council must hold an Annual General Meeting on a date that is not later than 15 December in each year.

SCOPE

This policy applies to ordinary Council Meetings and the Annual General Meeting.

POLICY

1. The first meeting of the calendar year will be a Council Meeting which will be held on the fourth Thursday in January.
2. Subsequent Council Meetings will be held on alternate Thursdays. If the Council Meeting falls on a Thursday that is a public holiday, the Council Meeting is held on the following Thursday and alternate Thursdays after that.
3. The final scheduled Council Meeting will be on either the second or third Thursday in December.
4. Council Meetings will commence at 1.00pm.
6. The Annual General Meeting is held on the first Thursday in December commencing at 5.30pm.

PRINCIPLES

The Council's organisational values apply to all activities.

RELATED POLICIES & PROCEDURES

[14-Rfx-009 Council Meeting Schedule 2020](#)

RELATED LEGISLATION

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

REFERENCES

N/A

DEFINITIONS

N/A

REVIEW

This policy will be reviewed after each Council election.

7 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**7.1 Community Care and Recovery Package - COVID-19 Pandemic**

FILE NO: SF7108/SF3805

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider a Community Care and Recovery Package in respect to the declared COVID-19 pandemic.

PREVIOUS COUNCIL CONSIDERATION:

Council - 19 March 2020 - Agenda Item 21.1 - Notice of Motion A M van Zetten
Community Care and Recovery Package

Workshop - 26 March - Community Care and Recovery Package

RECOMMENDATION:

That Council agree to the delivery of the following actions as part of a Community Care and Recovery Package to assist our community to both manage and recover from the impacts of the COVID-19 Pandemic:

1. Provide a remission of the general rate and general charge for a period of six (6) months for the Commercial and Sport and Recreation rates categories, with the exclusion of the following groups:
 - Supermarkets
 - Shopping Centres
 - Multi-national fast food establishments
 - Bottle Shops
 - Butchers
 - Chemists
 - Petrol stations
 - Churches
 - Banks
 - Large retailers (Myer, Bunnings, Harvey Norman etc)
 - Post Offices
 - Schools
 - Federal and State Government owned buildings
 - UTAS owned buildings
 - Private car parks
 - Doctors surgeries (health providers – physiotherapists)
-

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

2. Not pass on the CBD marketing rate to the businesses included in Recommendation 1, and cover the cost of running CityProm for a period of six months within the Council's budget(s);
 3. Waive fees for Food Business Registrations, Public Health Risk Activities, On-street Dining, Food vendors (mobile vans) and the commission on Visitor Information Centre accommodation and tour bookings for a period of six months;
 4. Waive the minimum Development Application fee for a period of six months;
 5. Initiate a multi-faceted grants program, which will be delivered to City of Launceston businesses and groups, but which can be quickly expanded to other Municipal Areas if the respective Council's elect to fund the program in their areas. The grants program will focus on digital innovation and circular economy initiatives, as follows:
 - Digital Innovation - Grants will enable small and medium business in the Launceston Municipal Area have an improved chance to continue trading, while community, sporting and cultural groups are able to remain active and support social cohesion. These grant(s) will provide small and medium sized business, sporting, cultural and community groups with the support to rapidly transition to alternate models of commerce, outreach and engagement, primarily digital solutions. This support will include professional advice (level 1) and financial grants (level 2) to provide and rapidly deploy a relevant front end digital solution to support their core business ; and
 - Circular Economy - Grants will provide new opportunities for economic resilience and meaningful activity for displaced workers and developed as a springboard for innovation in the recovery period. These grants will further develop the circular economy concept from simple re-use (Uptipity) to repair, re-make and revalue and in doing so develop longer term circular economy opportunities at scale. Building on the existing partnership with City Mission through Uptipity, broaden the scope and scale of activities progressively. Bring additional partners in once concept prototype has been established and expand regionally.
 6. Re-direct existing services to deliver a range of community assistance initiatives within the Launceston municipal area.
 7. Actively work with event organisers to reschedule all events and not require the return of any event sponsorship funds.
 8. Hold all applications for event sponsorship and community grants that recently closed and review assessment dates in two months' time.
-

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

9. Deliver an Annual Plan and Budget for 2020/2021 financial year based on a 0% general rate increase.
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REPORT:

Along with the other levels of Government, the City of Launceston is actively working to prevent the spread of COVID-19 within our community. There is no doubt that the COVID-19 pandemic is now fully disruptive of our everyday lives and the situation is changing on a daily basis.

The Council's response to the pandemic is being guided by advice from the Tasmanian Department of Health and other emergency service providers, as well as the *City of Launceston Pandemic Incident Action Plan*, which has the following objectives:

- Support our people going home safe and well;
- Maintain the essential services that Council provides to the community;
- Communicate with the community about Council core business; and
- Support other government agencies to manage the impact of a pandemic.

The Council's responsibilities under the Emergency Management Act and the Municipal Emergency Management Plan in a pandemic are to:

- Support distribution warnings and other relevant advice to the community, ensuring consistency with messaging from Tasmanian Health and Tasmania Police;
- Assist as requested by the State/Regional/ Emergency Operations Controller as required;
- Provide regular information/situation reports to the State/Regional Controller if requested;
- Provide liaison officers to the Emergency Operations Centre (EOC) when requested; and
- Maintain essential services to the community, as detailed in business continuity plans, which is currently in development.

Another important role for the three levels of government is to contribute to the rapid and confident recovery of individuals, communities and services. To this effect, at its meeting on 19 March 2020 the Council resolved to:

'Request the Chief Executive Officer to work with Council staff, General Managers from the Northern Tasmania Councils and CEO of the Northern Tasmania Development Corporation, to prepare a Community Care and Recovery Package, which should include the consideration of the following elements:

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

- *Provision of rates relief for businesses impacted by closure as a result of the pandemic;*
- *Development of a Rates Hardship Policy;*
- *Provision of fees and charges relief for businesses, community groups, sporting clubs and the like, to assist in managing their response to and recovery to the pandemic;*
- *Early payment of creditors by Council and negotiable terms of payment for debtors;*
- *The development of a framework and provision of a one-off special grant round to support business innovation which would include a focus on the development of digital capability (i.e. on-line services) as well as to facilitate opportunities for developing circular economy initiatives;*
- *Support for sporting and cultural groups to develop alternate approaches to their activities;*
- *Supporting the more vulnerable members of our community;*
- *Develop a framework to strengthen the resilience of our community;*
- *Negotiated rent relief for the use of Council facilities;*
- *Support for cancelled events to retain grant funding and re-plan events; and*
- *That the Chief Executive Officer provide a report to the following Council meeting outlining the package.'*

Since the Council's decision, staff have worked hard to prepare a suitable Package. The Community Care and Recovery Package is a clear, considered and targeted response to the economic impacts of the pandemic which will assist our community to both manage and recover from the impacts and is detailed as follows:

1. Provision of rates relief for businesses impacted by closure as a result of the pandemic.

It is a challenging if not impossible task to identify all businesses that have been impacted by closure as a result of the pandemic in the few days that have been available to prepare this package. Rather, it is proposed to focus on the remitting rates to small-medium business, tourism and accommodation businesses and community-based organisations and groups negatively affected by the Pandemic.

Accordingly, it is proposed to provide a remission of the general rates Charge for a period of six (6) months for the Commercial and Sport and Recreation rates categories. However, it needs to be acknowledged that not all businesses within these categories have been as severely impacted by the Pandemic and it is proposed to exclude the following groups from the remission:

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

- Supermarkets
- Shopping Centres
- Multi-national fast food establishments
- Bottle Shops
- Butchers
- Chemists
- Petrol stations
- Churches
- Banks
- Large retailers (Myer, Bunnings, Harvey Norman etc)
- Post Offices
- Schools
- Federal and State Government owned buildings
- UTAS owned buildings
- Private Carparks
- Doctors Surgeries (health providers – physiotherapists)

It should be noted that while it has been necessary to target the rate remission package to those rate classes which are most in need of support, all other ratepayers (including residential and excluded commercial businesses etc.) in financial distress will be able to apply for relief under a new Rates and Charges Hardship Policy which is discussed later in this report.

The total amount of the remission will be approximately \$4.236m as described in the following table:

	6 Months Relief \$000
Commercial	4,102
Sport & Recreation	134
Total	4,236

It should be noted that the Council is not able to mandate that landlords, who will receive rate relief, pass the remission on to their tenants in the form of rental relief. In deciding to remit these rate charges, it is the clear intention of the Council that savings are to be passed along to business tenants to ease the pressure on small business and assist in their recovery.

2. Development of a Rates Hardship Policy

An Interim Rates and Charges Hardship Policy has been developed and is included on the meeting agenda for consideration and determination.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

The purpose of this interim policy is to assist ratepayers who are suffering genuine financial hardship during the declared state of emergency by providing relief from the requirement to pay Council rates and charges, including rates, waste charges, interest and other relevant charges.

3. Provision of fees and charges relief for businesses, community groups, sporting clubs and the like, to assist in managing their response to and recovery to the pandemic.

It is proposed to provide fee relief to aid in the recovery of individuals and businesses and to provide a stimulus for economic growth in the short term. Fee relief such as for Food Business Registrations, public health risk activities, on-street dining, food vendors (mobile vans) will assist businesses to commence trading after the emergency, while fee relief for venue and ground hire will assist community and sporting groups to re-commence their operations. Further, it is proposed that the Council waive the commission (12-15%) it receives from accommodation and tour bookings made through the Visitor Information Centre to further ease the burden on this sectors recovery.

There is a view that offering a period of fee relief for development applications would serve to fast-track developments by taking advantage of a period of reduced fees. However, a contrary view is that the construction industry has been and remains strong in Launceston and that a grant may not be necessary at this time. It is recommended that the council err on the side of caution and make the fee relief available for a six month period in an endeavour to promote additional building activity, jobs and economic growth.

A six month waiver in this manner would result in a reduction of Council revenue of approximately \$465,000 as illustrated in the following table:

Fee Type	6 Month Waiver \$000
Planning and Development Applications	360
Food Licenses, on-street dining, food vans	99
Ground hire (most captured in rent relief)	6
Visitor Information Centre Bookings	25
Total	490

4. Early payment of creditors by Council and negotiable terms of payment for debtors.

The Council has commenced weekly creditor's runs as opposed to its standard fortnightly approach. Additionally, negotiable payment arrangements are being offered to debtors which are currently, or will become due during the state of emergency.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

5. Provision of a one-off special grant round to support business innovation which would include a focus on the development of digital capability (i.e. on-line services) as well as to facilitate opportunities for developing circular economy initiatives; and

6. Support for sporting and cultural groups to develop alternate approaches to their activities.

It is proposed that the Council initiate a multi-faceted grants program, which will be delivered to City of Launceston businesses and groups, but which can be quickly expanded to other Municipal Areas if the respective Councils elect to fund the program in their areas. To this effect, Council staff together with the CEO of the Northern Tasmanian Development Corporation will be available to assist and advise Councils wishing to offer a grants program. The grants program will focus on digital innovation and circular economy initiatives.

- *Digital Innovation* - Grants will enable small and medium business in the Launceston Municipal Area have an improved chance to continue trading, while community, sporting and cultural groups are able to remain active and support social cohesion.

These grant(s) will provide small and medium sized business, sporting, cultural and community groups with the support to rapidly transition to alternate models of commerce, outreach and engagement, primarily digital solutions. This support will include *professional advice (level 1)* and *financial grants (level 2)* to provide and rapidly deploy a relevant front end digital solution to support their core business.

- *Circular Economy* - Grants will provide new opportunities for economic resilience and meaningful activity for displaced workers and developed as a springboard for innovation in the recovery period.

These grants will further develop the circular economy concept from simple re-use (Uptipity) to repair, re-make and revalue and in doing so develop longer term circular economy opportunities at scale. Building on the existing partnership with City Mission through Uptipity, broaden the scope and scale of activities progressively. Bring additional partners in once concept prototype has been established and expand regionally.

The details of the grants program are outlined below:

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

Digital Innovation

- Level 1 will provide funding for businesses to access professional advice and assistance from a panel of Business Online/E-services/Marketing Advisers (collated by Council via an Expression of Interest process). Support will be given to businesses to adapt their business practises in response to the changing COVID-19 environment. Businesses looking for this level of advice are also encouraged to access the State Government Digital Ready service. The Digital Ready program is funded by the Department of State Growth and offers businesses two hours of free online marketing mentoring with experienced consultants. The program is open to all businesses and is an ideal way to assess and improve your current marketing activities. Consultants can make recommendations on how the Community Care and Recovery Package grants funding could be used to market your business online. Council will encourage businesses to access both Digital Ready and the City of Launceston's Community Care and Recovery Grant Level 1.
- The Level 2 grant will provide funding to support implementation of innovative projects that enable businesses to adapt their practises in response to the changing COVID-19 environment. Applicants do not have to access Level 1 or Digital Ready advice prior to applying for this Level 2 grant, but are strongly encouraged to have done so.

Applicable assessment criteria have been built into the applications for both levels of grants. These will ensure that the need is genuine, that the funding will demonstrate a creative and innovative solution to the current business practises and that the solution can be provided by a local business.

In respect to timing, the Council will be ready to go live with the grants program minutes after the Council meeting decision next Thursday and it is intended to be a 'rolling' application and assessment process. That means successful applicants can access Level 2 grants immediately, but successful applicants for Level 1 grants will have to wait until the panel of experts has been procured, which will take a week to enable an quick expression of Interest process to be completed

It is proposed to allocate \$650,000 to the digital innovation grants program.

Circular Economy

- Stage 1. Working with the NTDC and the Northern Councils, implement the Aspire Circular Economy platform for the construction industry. This digital platform will be an opportunity for materials that are otherwise dumped or wasted to be reused, repurposed or resold. Given the important role construction will play in the recovery from the pandemic, this creates an improved pool of affordable resources while reducing waste.
-

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

- Stage 2. Building on the City of Launceston's existing partnership with City Mission, develop a series of repair cafés in the City and the region to support the repair, reuse and revaluing of a range of products and adaptation of services. Post isolation, these can be developed to create value streams of repaired, revalued and reusable products.
- Stage 3. A full Circular Economy suite of initiatives including a local government purchasing policy and a strategy for maximising the value of exports to retain that value in the Tasmanian economy.

Initial circular economy initiatives could differ from centre to centre (depending on each centre's needs) and develop as partnerships with a range of existing social enterprises such as Men's Sheds and Neighbourhood Centres.

The creation of circular economy initiatives will help deliver a number of medium and longer term recovery outcomes:

- Employees impacted by COVID-19 who have been made redundant because of business closures will be able to have meaningful work while being supported by the Government's safety net in the medium term.
- An increase in community resilience as goods are given new life and reliance on global supply chains is decreased. Purchasing policies will drive a deeper and embedded structural resilience.
- A data collection and analytics capability to trace and track the impact of circular economy on recovery.

It is proposed to allocate \$50,000 to the circular economy program, with a further \$300,000 to be provided by the Northern Waste Management Fund, bringing the funding for this program to a minimum of \$350,000. It is intended that other Northern Councils would be able to further supplement these funds to broaden the program in due course.

It should be noted that the Circular Economy Grants will be a recovery focused program and as such will be delivered as a second stage of the Business Innovation Grants Program.

7. Supporting the more vulnerable members of our community and develop a framework to strengthen the resilience of our community.

The number of vulnerable people in our community is currently broader than it usually is. This pandemic has created new vulnerabilities among people who have lost their jobs, people with higher risk to COVID-19, people with mental health issues for whom social isolation creates even further concerns, young people who no longer have school or university outlets and many more. Council is working with many agencies to provide assistance and support wherever possible to these traditional and non-traditional vulnerable communities. Some initiatives include:

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

- Financial support for community centres and agencies providing food packages to those in need (which might include people who have previously never accessed such a service);
- A list of ideas for community members to keep occupied while isolated has been designed and will be made available to households to print;
- A handy hard copy snapshot of tips, recommendations and advice for staying safe during the pandemic to be available to residents without access to the internet;
- A central coordination point for all local emergency responses. This includes maintaining a portal or list of what each agency is doing/no longer doing, where emergency food relief is being prepared, where donations can be made, where the points of distribution are etc.;
- Providing resources to assist State Emergency Service and Tasmania Police checking on vulnerable people at the nominated addresses;
- Working with Star Theatre to establish a Drive-In Cinema at a Council carpark (when the time is right) and partnering with local food businesses doing delivery or takeaway;
- The Youth Advisory Group is undertaking a project to promote social responsibility amongst young people during this pandemic, as it has been identified that many young people are not complying with the social distancing etiquette currently expected by society;
- Working with aged care services and disability service providers to identify any opportunities to reduce the feelings of social isolation amongst their people. This could include a postcards initiative between young people and residents in care for example.

Council's Community Development team have redirected their internal resources to activate as many initiatives as possible and continually assess new ideas whilst communicating with other agencies to ensure the Launceston community feels connected.

8. Negotiated rent relief for the use of Council facilities.

Since the declaration of the State of Emergency Council staff have ceased sending out invoices for rent on Council owned buildings and sporting facilities pending the Council's decision on this matter. It is proposed that all rent on Council owned buildings and sporting facilities will be waived for a period of six (6) months. A rent waiver in this manner would result in a reduction of Council revenue of approximately \$508,000.

This waiver would not include the cost of utilities (i.e. Aurora and TasWater) which are subject to separate fee relief programs being offered by these organisations. For instance TasWater is giving a 100 per cent rebate for small businesses issued from 1 April to 30 June 2020. This will apply to TasWater customers that receive electricity tariff 22, 94, 82 or 75.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

9. Support for cancelled events to retain grant funding and re-plan events.

Of the 19 events sponsored by the Council and scheduled through to June 2020, nine events have been cancelled, nine have been postponed and one is yet to advise the Council of their plans. Sponsorship for the events totals \$158,124. Event organisers have all been contacted and 18 of them have advised that due to the planning required for events, the majority of Council event sponsorship funding has been expended. Given the economic benefits of hosting events within the Municipal Area, and the number of attendees these attract, Council is keen to support these event organisers as soon as it is practical to do so again. To that end, it is recommended that event organisers be advised that they do not have to return any event sponsorship funds.

10. Additional Considerations**Rate Relief in 2020/21**

The Council has committed to establishing its budget and annual plan in accordance with its Long Term Finance Plan (LTFP). Based on many underlying factors the LTFP identifies that the Council requires a 4.5% General rate increase in the 2020/21 financial year to maintain its strong financial position moving forward. However, during the budget preparation process the Council requested that staff identify further savings and efficiencies which resulted in a proposed 3.9% rate increase for the 2020/21 financial year. Given the current emergency situation the Council has now proposed that the organisation deliver a budget in 2020/21 which is based on a 0% rate increase. While this change will impact upon the range of the projects which can be delivered in this financial year, it will result in a \$2.23m saving across all ratepayers.

It should be noted that CityProm has also committed to a 0% rate increase for 2020/21. However, if the Council agrees to grant a remission of the general rates to eligible CBD businesses, it is considered inappropriate to charge those businesses with the CBD marketing rate. Accordingly, the Council would effectively absorb the cost of running CityProm for six months, which would be around \$260,000. However, efforts will be made to work with CityProm to reduce discretionary spending throughout this period so as to minimise the impact on the current budget. It is considered that CBD representative organisations such as CityProm and the Launceston Chamber of Commerce and Industry are vital for supporting and assisting their member businesses during this emergency, and need to be prepared to hit the ground running when this emergency situation ends to quickly assist in the generation of activity, vibrancy and most importantly, more people shopping within Launceston.

It is intended to defer the delivery of the final draft 2020/21 Annual Plan and Budget to allow time to more fully understand the implications of the emergency and enable changes to be made as a result of the Community Care and Recovery Package.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

Accelerated capital works program

It is proposed to accelerate the Council's capital works program by reallocating unspent funds from FY20, adjusting the FY21 capital projects to ensuring funding goes to deliverable projects and bring forward projects from our four year delivery program. The program will:

- Focus on renewal projects;
- Be projects that form part of our four year delivery program;
- Establish a Committee of Council to provide governance of the program which will operate alongside the Tender Review Committee;
- Consist of projects that range in value from \$10,000 to \$6,000,000 and across the building and civil construction industry; and
- Be funded from a combination of cash reserves and an interest free loan.

A further report will be provided to Council demonstrating the financing model, Terms of Reference for an Accelerated Project Delivery Committee, initial suite of projects and criteria for bringing projects forward.

Cost Summary

The overall cost of the Community Care and Recovery Package is summarised in the following table:

	6 Months Relief \$000
Rates Relief	4,236
CBD Marketing Rate	260
Rental Relief	508
Grant Program	700
Rates Hardship (estimate)	300
Fee Relief (estimate)	490
Vulnerable People support	Existing resources
0% Rate increase in 20/21 vs 3.9% proposal	2,230
Total	8,724

Along with the other levels of Government, the City of Launceston is actively working to prevent the spread of COVID-19 within the community.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

The Council has developed a City of Launceston Pandemic Incident Action Plan, which has the following Council objectives:

- Support our people going home safe and well;
- Maintain the essential services that Council provides to the community;
- Communicate with the community about Council core business; and
- Support other government agencies to manage the impact of a pandemic.

The Council's response to a pandemic is being guided by advice from the Tasmanian Department of Health and other emergency service providers. The plan identifies the responsibilities of those in the organisation with a key role in managing Council's response to a pandemic, as well as those with responsibilities for providing essential services and support services.

The Council's responsibilities under the *Emergency Management Act 2006* and the Municipal Emergency Management Plan in a pandemic are:

- Support distribution warnings and other relevant advice to the community, ensuring consistency with messaging from Tasmanian Health and Tasmania Police;
- Assist as requested by the State/Regional/Emergency Operations Controller as required;
- Provide regular information/situation reports to the State/Regional Controller if requested;
- Provide liaison officers to the Emergency Operations Centre (EOC) when requested; and
- Maintain essential services to the community, as detailed in business continuity plans, which is currently in development.

Another important role for the three levels of government is to contribute to the rapid and confident recovery of individuals, communities and services. It is believed that there is a role for Local Government in achieving this. To this effect, it is proposed that the Council agrees to a Community Care and Recovery Package, which would aim to assist the community to both manage and recover from the impacts of the pandemic. The Council's Chief Executive Officer has held discussions with the other Northern Tasmania Council General Managers and there seems to be interest in approaching a recovery package on a regional basis.

At the Council Meeting on the 19 March 2020, Council endorsed the Recommendation that the Chief Executive Officer work with Council staff, General Managers from the Northern Tasmania Councils and CEO of the Northern Tasmania Development Corporation, to prepare a Community Care and Recovery Package.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

Council endorsed the following elements for consideration:

1. Provision of rates relief for businesses impacted by closure as a result of the pandemic;
2. Development of a Rates Hardship Policy;
3. Provision of fees and charges relief for businesses, community groups, sporting clubs and the like, to assist in managing their response to and recovery to the pandemic;
4. Early payment of creditors by Council and negotiable terms of payment for debtors;
5. The development of a framework and provision of a one-off special grant round to support business innovation which would include a focus on the development of digital capability (i.e. on-line services) as well as to facilitate opportunities for developing circular economy initiatives;
6. Support for sporting and cultural groups to develop alternate approaches to their activities;
7. Supporting the more vulnerable members of our community;
8. Develop a framework to strengthen the resilience of our community;
9. Negotiated rent relief for the use of Council facilities; and
10. Support for cancelled events to retain grant funding and re-plan events.

ECONOMIC IMPACT:

The Community Care and Recovery Package is a clear, considered and targeted response to the economic impacts of the pandemic which will assist our community to both manage and recover from the impacts

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

In preparing the Community Care and Recovery Plan, the Council acknowledges that the number of vulnerable people in our community is currently broader than it usually is. This pandemic has created new vulnerabilities among our community. The package includes a range of initiatives to assist in the social recovery of our community from financial support, assisting State Emergency Service and Tasmania Police checking on vulnerable people at the nominated addresses; through to the provision of community resources to keep people occupied while isolated and tips, recommendations and advice for staying safe during the pandemic.

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

The Council's Annual Planning and budget process is guided by the Council's Long Term Finance Plan (LTFP). This plan forecasts the Council's required expenditures and incomes over the next 10 years as directed by inputs such as the Council's Strategic Asset Management Plan and draft Four Year Delivery Plan. However, the LTFP does not contemplate the financial impacts associated with the management and recovery of an emergency situation such as the Covid-19 Pandemic.

While the current LTFP does not factor in the social and financial impact of such a pandemic, over time it will be adjusted to cope with the effects of the current pandemic.

The Council is currently being, and will continue to be impacted by losses in revenue from 'shocks' such as the closure of the Launceston Leisure and Aquatic Centre, UTAS Stadium and reduced rental income from Council owned buildings as well as reduced revenues from fees and charges such as parking fees, ground hire fees, travel booking commissions and the like. At this stage it is difficult to quantify these impacts, however for the purposes of considering the Care and Recovery Plan, professional estimates have been made. Equally, the Council is incurring additional costs associated with the management of the pandemic associated with the bringing forward of capital works, and similarly, professional estimates have been made.

While there is no doubt that the cost of the Care and Recovery Package of approximately \$8.689m will be challenging, through sound financial management and the use of existing cash reserves, the modelling completed within the Council's LTFP indicates that Package can be accommodated. Through prudent planning the Council has positioned itself to not have any significant debt, other than the interest free loan of \$9.0m for the CH Smith Car Park, with the repayment of this loan due in February 2022 to be fully funded from currently held cash reserves. There are sufficient cash reserves to enable the

7.1 Community Care And Recovery Package - COVID-19 Pandemic ...(Cont'd)

management of the cash flow pressures, which will inevitably occur as a result of this pandemic.

To fund the Package, which includes the accelerated capital project initiative, the Council will seek to access the State Government interest free loan which would be repayable after three years. This will provide an ability to defray the financial impact over three financial years, although there is little doubt that the financial impact will need to be managed over a longer period of time.

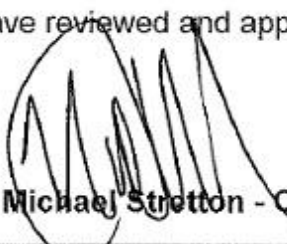
Clear in the knowledge that the estimates which have been included in our financial planning models will be subject to further review and refinement, the preliminary modelling shows that in delivering the Community Care and Recovery Package and managing the additional impacts of the pandemic, the Council will run an underlying deficit of approximately \$9.7m in 2019/2020 and \$4.5m in 2020/2021. The modelling then shows that the Council will aim to deliver small deficits of less than \$1m in the subsequent two years before returning to an operational surplus in 2023/24.

In summary the Council can manage to remain in a strong financial position by continuing to employ sound financial strategies to ensure the LTFP returns to small underlying surpluses in future years whilst continuing to consult with ratepayers in the process.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton - Chief Executive Officer

ATTACHMENTS:

1. Nil
-

7.2 Interim Rates and Charges Hardship Policy - 23-Plx-011**FILE NO:** SF6641/SF0521**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider adopting the Interim Rates and Charges Hardship Policy.

RECOMMENDATION:

That Council:

1. Adopts the Interim Rates and Charges Hardship Policy - 23-Plx-011 (ECM Document Set ID 4270743); and
 2. Determines that, where there is conflict or inconsistency between the Interim Rates and Charges Hardship Policy - 23-Plx-011 and the Rates and Charges Policy - 23-Plx-010, the Interim Rates and Charges Hardship Policy - 23-Plx-011 will prevail.
 3. Pursuant to section 22(2) of the *Local Government Act 1993* (Tas) delegates the powers contained in Part 9, Division 9 of the *Local Government Act 1993* (Tas) necessary to administer the policy at Recommendation 1 to the Chief Executive Officer.
 4. Pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
 5. Notes, for the avoidance of doubt, the term Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

Various provisions in the *Local Government Act 1993* (Tas) allow Council to consider measures that may provide financial relief to ratepayers:

125. Postponement of payment

- (1) A ratepayer may apply to the council for a postponement of payment of rates on the ground of hardship.
-

7.2 Interim Rates And Charges Hardship Policy - 23-Plx-011 ...(Cont'd)

- (2) *An application is to be –*
 - (a) *made in writing; and*
 - (b) *lodged with the Chief Executive Officer.*

126. Conditions of postponement

- (1) *A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.*
- (2) *A council may grant a postponement of payment of rates –*
 - (a) *on the condition that the ratepayer pay interest on the amount of rates postponed at a rate fixed by the council; and*
 - (b) *on any other condition the council determines.*
- (3) *Interest fixed under subsection (2)(a) is not to exceed the prescribed percentage as calculated in section 128(2) .*

129. Remission of rates

- (1) *A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under section 128.*
- (2) *An application is to be –*
 - (a) *made in writing; and*
 - (b) *lodged with the Chief Executive Officer.*
- (3) *A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.*
- (4) *A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.*
- (5) *The general manager is to keep a record of the details of any remission granted under this section.*

The purpose of this Interim Rates and Charges Hardship Policy - 23-Plx-011 is to provide direction to Council Officers in the consistent application of these measures and to promote the availability of these measures to our community. This Policy is one element of Council's Community Care and Recovery Package, developed as part of the Council's response to the current public health emergency.

In the course of developing the Interim Rates and Charges Hardship Policy - 23-Plx-011, it was noted that some parts of the Policy are inconsistent with similar parts of the Rates and Charges Policy - 23-Plx-010. These inconsistencies will be resolved in the next review of the Rates and Charges Policy - 23-Plx-010.

For the effective execution of the policy, a delegation from Council to the Chief Executive Officer, pursuant to section 22(2) of the *Local Government Act 1993* (Tas) is required in respect of the powers contained in Part 9, Division 9. Section 22(2) of the *Local Government Act 1993* (Tas) provides for this delegation by Council on the condition that the council has determined appropriate policies and procedures to be followed. This policy is drafted in satisfaction of that requirement.

SPECIAL COUNCIL MEETING AGENDA

Thursday 2 April 2020

ECONOMIC IMPACT:

Consideration is contained in the Policy.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration is contained in the Policy.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

1. To provide for the health, safety and welfare of the community.
2. To fairly and equitably discharge our statutory and governance obligations.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

Consideration is contained in the Policy.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton - Chief Executive Officer

*Attachment 1 - Interim Rates and Charges Hardship Policy - 23-Plx-011
(ECM Document Set ID 4270743)*

Interim Rates and Charges Hardship Policy

PURPOSE

The purpose of this interim policy is to assist ratepayers who are suffering financial hardship during a declared state of emergency by providing relief from the requirement to pay Council rates.

SCOPE

This policy applies to all property owners and ratepayers of the City of Launceston. In particular, the policy applies to those property owners who have been identified, either by themselves, Council Officers or by an independent accredited financial counsellor as not having the financial capacity to make the required payments.

This policy applies to general rates revenue included on the rate notice (excluding waste and fire service charges).

For residential properties, assistance can only be granted to individuals experiencing financial hardship for payment of rates on the place where they live. Applications for financial hardship consideration on residential investment properties will not be considered. The Council may request a utilities notice connected to the property to assess this.

Financial Hardship is a situation where a property owner is reasonably unable, because of illness, unemployment or other reasonable cause during a declared state of emergency in the Municipal Area or state, to discharge their financial obligations.

Financial hardship involves an inability of the property owner to meet their commitments (bills), rather than an unwillingness to do so. Customer hardship can arise from a variety of situations.

Common causes of hardship may include, but are not limited to:

- Loss of employment of the property owner or family member;
- Family breakdown;
- Illness, including physical incapacity, hospitalization, or mental illness of the property owner or family member; and/or
- A death in the family.

Council frequently enters into payment arrangements with property owners. This form of assistance is not categorised as “financial hardship assistance”. In these circumstances Council will monitor progress towards clearing the debt within a specified time, but if the debt is not cleared further assistance may be considered.

POLICY

Introduction

The City of Launceston seeks to maintain an appropriate distribution of rates and charges in accordance with the objectives of the Rates and Charges Policy which are:

- a) Consistent and equitable treatment of all residents and ratepayers;
- b) Achieving an appropriate mix and distribution of taxation from
 - i. rates based on property values, fixed and service charges and revenue from other sources; and
 - ii. different sectors (including land use categories and localities) within the municipality.
- c) Managing the impact on ratepayers of changes in
 - i. the Council's funding requirements; and
 - ii. property valuations as reflected in municipal revaluations.
- d) Using rate settings to support the achievement of strategic objectives.

However, Council recognises that sometimes a person's personal financial circumstances mean that it is appropriate to grant that person relief from the payment of Rates. This policy has been developed to enable the Council to assist ratepayers who are suffering financial hardship. This Policy is guided by the Council's values of **We care about our community** by striving towards the **best outcome for our community** and **making responsible and sustainable decisions**. Our values are:



Our people
matter

we value clear and open communication
we support and encourage each other
we respect diversity
we recognise individual needs, experience and strength



We care about
our community

we take pride in our work and pursue a standard of excellence
we genuinely listen, and value collaborative relationships
we strive towards the best outcome for our community
we make responsible and sustainable decisions



We bring an
open mind

we actively seek opportunities to continuously improve
we respect and explore different ideas and perspectives
we embrace change that leads to positive outcomes
we value innovation and creativity



We go home
safe and well

we show care for people and look out for one another
we speak up and support others to be healthy and safe
we take personal responsibility for our own health and wellbeing
we value work-life fit

Identification of genuine financial hardship

The identification of genuine financial hardship can be determined by:

- Assessment by Council officers;

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Thursday 2 April 2020

- External assessment by, for example, an independent accredited financial counsellor (preferred); and/or
- Evidence of a valid Centrelink or DVA entitlement to benefit (either in letter, email or card form).

Where an assessment takes place to determine a customer's eligibility for relief under this policy, judgement is required by Council when deeming whether a property owner is experiencing genuine financial hardship rather than simply seeking to defer payment.

If Council requires tangible evidence of hardship, they may request:

- Documentation providing evidence of the property owner having consulted with, and/or being accompanied by a recognised financial counsellor or a booking to see a financial counsellor, or
- Documentation such as a statutory declaration from a person familiar with the property owner's circumstances (family doctor, bank officer etc.).
- In the instances of properties within a valuation class of Commercial or Industrial for those impacted industry sectors (hospitality, sporting etc), a copy of the lease agreement between tenant and property owner(s) which notes the rated property address impacted.

Council may also require additional supporting documentation where:

- The property owner has had payment issues with Council in the past, which may have included lodgment with our external Debt Collection Agency (TCS)
- The amount outstanding or remaining overdue is considered large or significant, or
- Financial Hardship has been utilised by the property owner in the past.

The types of help that Council can give

Where a Ratepayer is suffering genuine financial hardship s/he can apply for one or more of the following types of relief:

- 1) defer the payment of Rates (i.e. paying Rates after they would normally be due)
- 2) remission of Rates, in part or full (i.e. not being required to pay some or all of the Rates bill), or
- 3) Remission of interest and/or penalties invoiced in respect of a Rates bill. Although it should be noted that in a declared state of emergency the Council will not charge interest or penalties for a period of six months.

Deferment of Rates payment

A deferral of rates may be considered by Council where the applicant can provide supporting documentation of the following:

1. a valid Commonwealth Centrelink or Department of Veteran Affairs card, as follows
 - a Pensioner Concession card; or
 - a Veterans Affairs Gold card (endorsed as TPI or War Widow);

OR

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2. They can provide evidence of genuine financial hardship as certified by an assessment carried out by an independent financial counsellor.

A deferral of rates is a postponement of payment in part or full and can be for a specified period and subject to any conditions determined by Council. In all applications for rate deferrals, the Property Owners who are the subject of a Deferral under this paragraph should be urged to continue to make such contributions to Rates payments as they are able.

Rate deferral agreements will be for a maximum period of three years. Approved rate deferrals must then be settled at the conclusion of this three year period, along with any new rates raised.

Where the Council Officer determines that this policy may apply, the Applicant must complete the Application for assistance due to Financial Hardship.

If on receipt of the Deferral Application Form, the Manager Finance or Chief Financial Officer (CFO) determines that a failure to defer would:

- cause serious Financial Hardship to the Property Owner; and
- it is appropriate and equitable in the circumstances

then the Manager Finance or CFO will seek the approval of the Chief Executive Officer and if approval is provided, arrange to:

- enter the appropriate Deferral on to Council's Information System;
- notify the Property Owner in writing of agreement.

The Council will ensure that its contracted Debt Collection Agency is notified that action is deferred on a property the subject of this paragraph.

Those that have been assessed for a successful deferral are ineligible to reapply in the future for further deferrals.

Remission of Interest and Penalties

During a declared state of emergency interest and penalties will be waived for eligible ratepayers for a period of six months.

Remission of Rates

Consideration of a remission under this section will only occur after an initial deferment of rates has been granted.

A person who is an eligible recipient who is suffering Genuine Financial Hardship or would suffer Genuine Financial Hardship if that person paid the full amount of the Rates for which he or she is liable, may apply to Council for a remission of the whole or part of any Rates.

SPECIAL COUNCIL MEETING AGENDA

Thursday 2 April 2020

Except for the most exceptional circumstances, Council will not remit any Rates but rather will encourage the person to enter into a Payment Arrangement, or where the person meets the criteria for Deferment of Rates, to defer the Rates.

Where it is thought that exceptional circumstances exist such that remission of the Rates is appropriate, the Applicant must complete the Application for assistance due to Financial Hardship.

Pursuant to section 22(2) of the *Local Government Act 1993* (Tas), Council delegates to the Chief Executive Officer the power to authorise a remission of rates of up to \$500 per property in one financial year. If the Chief Executive Officer is of the view that exceptional circumstances warrant an extension to this policy framework, a decision of Council will be sought.

Any remission is a one off remission in response to circumstances at the time, those that have been assessed for a successful remission are ineligible to reapply in the future for further remission.

Application for Financial Hardship

Assessment of genuine financial hardship will be objectively based on the information provided by the customer on the form "Application for Assistance Due to Financial Hardship".

Determination on applications to defer rates, or for remission of rates, interest and/or penalties, will be subject to approval by the Chief Executive Officer as required by Section 22(2) of the *Local Government Act 1993* (Tas).

Determination on applications for remission of "one off" interest charges due to administrative error will be subject to approval by the Team Leader Receivables.

What happens if an application is approved?

If an application for relief under this policy is approved it will be valid for a period of 12 months.

At the end of the 12 months, a new application will need to be submitted which will need to show that the Ratepayer is still suffering from genuine financial hardship.

Council staff will contact any person given relief under this policy near the end of the 12month period to help them to submit a new application if this is required.

PRINCIPLES

The Council's rating policies are formed within a framework that includes:

- (a) The *Local Government Act 1993* (Tas);
 - (b) Established taxation principles;
 - (c) Organisational Values;
 - (d) The Council's Long Term Financial Plan; and
-

(e) The Council's Rating Resolution.

RELATED POLICIES & PROCEDURES

23-Plx-010 Rates and Charges Policy

23-PI-006 Property Debt (Small Charge) Remission Policy

23-PI-008 Rating Exemptions and Remissions for Crown Lease Jetties and Slipways

23-Plx-002 Rating Exemptions and Remissions for Charitable Organisations Policy

RELATED LEGISLATION

Sections 125 and 126 of the *Local Government Act 1993* (Tas) sets out the circumstances in which a Council can consider an application for deferment or remission of rates, charges and penalty Interest. Additionally, Section 129 sets out the provisions for the consideration and granting of a remission of rates and Section 22(2) provides for approval by the Chief Executive Officer for deferral or remission of rates as a delegated authority. This Policy must be read in conjunction with these sections and does not take precedence over them.

REFERENCES

Access Economics/Henry Review (www.taxreview.treasury.gov.au)

Taxation Policy Criteria (Oakes Committee April 1990)

- Equity or Fairness
- Simplicity and Efficiency
- Accountability or Visibility
- Acceptability
- Benefits Derived
- Capacity to Pay

DEFINITIONS

For the avoidance of doubt, Chief Executive Officer is the General Manager appointed under section 61 of the *Local Government Act 1993* (Tas).

REVIEW

This Policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages rates and charges hardship.

23 MEETING CLOSURE