

COUNCIL MINUTES

COUNCIL MEETING
THURSDAY 16 JUNE 2022
1.00pm

The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 16 June 2022

Time: 1.00pm

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.

This Council Meeting was streamed live to and can be accessed at: www.launceston.tas.gov.au/Council/Meetings/Listen.

The following information was provided to members of the public in respect of attendance at the Council Meeting.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by close of business Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

When attending the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- 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 Chair 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.

Present:

Councillor A M van Zetten (Mayor)

Councillor D C Gibson (Deputy Mayor)

Councillor J G Cox

Councillor K P Stojansek

Councillor A E Dawkins

Councillor P S Spencer

Councillor A G Harris

Councillor T G Walker

Councillor K M Preece

In Attendance:

Michael Stretton (Chief Executive Officer)

Dan Ryan (General Manager Community and Place Network)

Louise Foster (General Manager Organisational Services Network)

Shane Eberhardt (General Manager Infrastructure and Assets Network)

Shane Fitzgerald (General Manager Creative Arts and Cultural Services Network)

Paul Gimpl (Chief Financial Officer)

Pepper Griffiths (Team Leader Performance and Planning) (Agenda Item 15.3)

Leanne Purchase (Manager Governance) (Agenda Item 15.5)

Jarred Ranson (Team Leader Strategy, Economic Development and Analytics)

(Agenda Item 15.6)

Kelsey Hartland (Team Leader Governance)

Anthea Rooney (Council and Committees Officer)

Apologies:

Councillor R I Soward

Councillor D H McKenzie

Councillor N D Daking

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1. OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm and noted apologies from Councillor R I Soward, Councillor D H McKenzie and Councillor N D Daking.

2. MAYORAL ACKNOWLEDGEMENTS

There were no Mayoral Acknowledgements as part of this Meeting

3. DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - 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 these Minutes

4. 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 2 June 2022 be confirmed as a true and correct record.

DECISION: 16 June 2022

MOTION

Moved Deputy Mayor Councillor D C Gibson, seconded Councillor J G Cox.

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 2 June 2022 be confirmed as a true and correct record.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

5. COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

5.1 Council Workshop Report - 9 June 2022

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RELEVANT LEGISLATION:

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)(c)

RECOMMENDATION:

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures)*Regulations 2015, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 9 June 2022 were:

University of Tasmania Newnham Development Strategy

Councillors received a presentation from the University of Tasmania on the preparation of a Newnham Development Strategy that builds upon the Newnham Masterplan.

Tamar Natural Resource Management 2021-2022: a Snapshot

Councillors received a presentation from Tamar Natural Resource Management.

Stormwater Management in New Developments

Councillors discussed upcoming changes to, and opportunities for, the management of stormwater in new developments.

Stadium Staff and Asset Upgrade

Councillors discussed the Stadiums Tasmania Act 2022 which passed through the Tasmanian Parliament on 5 April 2022.

Southern Growth Traffic Modelling Summary

Councillors received a presentation on the traffic modelling work that has been completed for the South Prospect growth area.

Asset Naming Discussion

Councillors discussed the naming of the Council's assets with a view to providing continuity and reference points for the community.

DECISION: 16 June 2022

MOTION

Moved Councillor P S Spencer, seconded Councillor A G Harris.

That, pursuant to Regulation 8(2)(c) of the *Local Government (Meeting Procedures)*Regulations 2015, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 9 June 2022 were:

University of Tasmania Newnham Development Strategy Councillors received a presentation from the University of Tasmania on the preparation of a Newnham Development Strategy that builds upon the Newnham Masterplan.

Tamar Natural Resource Management 2021-2022: a Snapshot Councillors received a presentation from Tamar Natural Resource Management.

Stormwater Management in New Developments
Councillors discussed upcoming changes to, and opportunities for, the
management of stormwater in new developments.

Stadium Staff and Asset Upgrade

Councillors discussed the Stadiums Tasmania Act 2022 which passed through the Tasmanian Parliament on 5 April 2022.

Southern Growth Traffic Modelling Summary Councillors received a presentation on the traffic modelling work that has been completed for the South Prospect growth area.

Asset Naming Discussion

Councillors discussed the naming of the Council's assets with a view to providing continuity and reference points for the community.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

6. COUNCILLORS' LEAVE OF ABSENCE APPLICATIONS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(2)

Councillor's Leave of Absence Applications will be considered in Closed Council at Agenda Item 16.2 - Councillors' Leave of Absence.

7. 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 Councillors).

No Community Reports were identified as part of these Minutes

8. PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

8.1.1 Public Questions on Notice - Ron Baines - Waste, Parking and Projects

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 2 June 2022 by Ron Baines, has been answered by Wezley Frankcombe (Governance and Legal Officer).

Questions:

1. In this calendar year how many projects [over \$250,000] have been contracted by the City of Launceston Council without going to tender?

Response:

In this calendar year, one tender has been awarded pursuant to section 27 of the Local Government (General) Regulations 2015, which deals with non-application of the public tender process.

The tender was awarded to mitigate a time critical asbestos risk and was subsequently reported in the Council Meeting Minutes of 24 March 2022.

The City of Launceston publishes detailed information about tenders and contracts each year in its Annual Report, a copy of which is found on the Council's website www.launceston.tas.gov.au. The 2021/2022 Annual Report will be available in the fourth quarter, ahead of the 2022 Annual General Meeting.

The details published in the Annual Report include information about contracts valued at or exceeding \$250,000 (excluding GST), and some instances where tenders have not been sought for specific reasons - for example, because of an emergency.

8.1.2 Public Questions on Notice - Ray Norman - kanamaluka/Tamar Estuary

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted in writing to the Council on 8 June 2022 by Ray Norman, has been answered by Michael Stretton (Chief Executive Officer).

Questions:

- 1. Given the burgeoning economic crisis impacting on all citizens in the *kanamalukal* Tamar Esk catchments as a consequence of international, national and local factors, will the Council now work proactively with all local governance jurisdictions and the State Government in the relevant catchments to:
 - empanel a Catchment Assembly modelled on, and with members appointed, as is the case with Citizen's Juries/Assemblies empanelled in various jurisdictions throughout Australia and internationally;
 - task the Assembly to interrogate alternative local governance modelling and structures in the context of 21C imperatives, current technologies and the catchments' geographic imperatives and their networks;
 - task the Assembly to openly seek submissions and expert advice from a broad spectrum community members and experts in various fields intrastate and interstate;
 - task the Assembly to meet in an open forum context from time to time throughout the relevant catchments over the life of the Assembly:
 - task the Assembly to develop better and inclusive understandings of the diversity and the cultural realities present within communities within the catchments; and
 - task the Assembly to openly report on its finding and recommendation throughout its period of tenure and finally to the State Government and all Councils in the relevant catchments?

Response:

The Council remains committed to the Tamar Estuary Management Taskforce (TEMT) which was created under the Launceston City Deal. The TEMT has brought together all the organisations, business, local and State government to improve and deliver a healthier estuary. It is an advisory body which seeks to explore and provide options and advice to the Tasmanian Government on how to develop and manage the kanamaluka/Tamar Estuary. The membership includes those government departments, agencies, local government authorities and expert bodies with responsibilities for the estuary. For more information on the TEMT please visit: kanamaluka - Tamar Estuary Management Taskforce.

8.1.3 Public Questions on Notice - Ray Norman - Queen Victoria Museum and Art Gallery Governance

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

- 1. Against the background of the Council's General Manager/Chief Executive Officer asserting that Councillors are not trustees of the Queen Victoria Museum and Art Gallery's (QVMAG) collections valued at \$230m plus; the Council deeming the QVMAG to be a City of Launceston cost centre and the centre currently being rationalised; the lack of open reporting to the Councillors and thus opaque accountability to ratepayers, donors and owners of intellectual and cultural property held by the centre, the apparent lack of published research outcomes, the apparent lack of access to scientific and cultural material held in QVMAG collections, will the Council, and with urgency:
 - a. provide ratepayers and the QVMAG's Community of Ownership and Interest with a firm timeline for the transitioning of the QVMAG from being a cost centre to a credible Regional Cultural Institution under the direct governance of a standalone appointed expert Board of Trustees;
 - b. commit to funding the recurrent and program funding in competition all cultural entities in the City's jurisdiction;
 - c. seek the support of Councils in adjoining jurisdictions for program and project development relative to their constituencies aspirations and cultural realities;
 - d. seek support from the Tasmanian State Government via its maintenance of what is essentially research funding to the QVMAG and that the institution currently enjoys; and
 - e. task the new QVMAG Trustees to establish a *Research Institute* focused on social, cultural and scientific research relevant to the region's river catchments?

Response:

The assertions made in relation to the background to this question are not agreed.

The Council has developed a draft Futures Plan for the Queen Victoria Museum and Art Gallery (QVMAG) which will be considered by Councillors at a Workshop on 23 June 2022. This is then planned to be considered at the subsequent Council Meeting. This Futures Plan will provide clear directions for the QVMAG in areas such as governance, funding, programming and development, (etc). Much of what the writer is seeking will be addressed by this Futures Plan and, if not, any suggestions can be further considered in the future.

8.1.4 Public Questions on Notice - Ray Norman - Housing Issues

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 8 June 2022 by Ray Norman, have been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

- 1. Given Tasmania's housing crisis and the plight of people who, as a consequence of government policy settings Federal, State and Local, will the Council proactively engage with adjoining Council jurisdictions to:
 - a. survey all local residential buildings with a view to determining which ones have been vacant for more than 50% of a year and imposing a special rate on residential housing stock that fails an occupancy test with the income generated lodged in a housing trust?
 - b. desist in approving the conversion of housing stock to other purposes in defined precincts?
 - c. providing incentives for the provision of residential accommodation within business districts where and when possible?
 - d. ensure that residential housing stock has adequate access to 'green spaces' with appropriate canopy cover?
 - e. all new housing stock has onsite stormwater and greywater infrastructure to ensure that best use is made of water resources?

Response:

The City of Launceston is not supportive of the suggested approach to survey local residential buildings as the Council's current policy receives rates for properties in certain rating zones. The Launceston Interim Planning Scheme 2015 sets out the allowable use and development across the Council area. Most residential dwellings are located in Residential Zones which provide very limited options for non-residential use, allowing only those things that people may need close to their houses for convenience with few exceptions. This is regulated on a consistent State-wide basis by the State Government Planning Directive 6. This provides a broad opportunity for homeowners to use their houses flexibly subject to a series of simple criteria and standards. There are no current plans to modify these arrangements as suggested. There are currently no plans to establish incentives for the provision of residential accommodation within business districts.

With regard to the consideration of the provision of parks and reserves in an area, the decision is made at the time of subdivision and the Council assesses the needs of these areas on a case-by-case basis. The Council also manages parks and reserves to provide an appropriate canopy. Further to this, the City of Launceston has recently established a Greening of Launceston Memorandum of Understanding with the Launceston Chamber of Commerce which includes the development of an Urban Forest Plan to maintain and increase canopy cover across Launceston.

In urban areas, drainage from individual houses is regulated by building and plumbing regulations. These provide options for homeowners to manage stormwater and greywater in different ways subject to their circumstances. The Council is committed to continuing to seek alternative strategies that maximise the value of water resources.

8.1.5 Public Questions on Notice - Ray Norman - Climate Emergency

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 8 June 2022 by Ray Norman, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

- 1. Given the current, and emerging, energy crises in Australia and internationally and in context with the Council's Climate Emergency Policy, will the Council now urgently reset its strategic direction to focus its own and the wider community's attention in order that the Council and the community can refocus on how, in a 21C context, the community can proactively engage with:
 - a. the Council's and their own renewable energy generation via the proactive reporting on the outcomes of infrastructure installations - government, corporate and domestic:
 - b. the proactive initiation of, and production of, the installation of community come precinct batteries that enable the Council itself, business and urban residences to be more actively engaged in the production of renewable energy within the Council's jurisdiction:
 - the proactive initiation of community battery networks across the region in collaboration and cooperation with adjoining Local Government jurisdictions;
 - d. a regional community energy network with a diverse membership drawn from within the region and reporting regularly to the appropriate authorities; and
 - e. a community cooperative established to enable Local Government, the corporate sector and domestic users to invest in renewable energy infrastructure at the most competitive price available?

Response:

The City of Launceston's (CoL) Towards Zero Emissions Plan 2021-2025 endorsed by Council at its Meeting on 29 July 2021 and the Sustainability Action Plan (SAP) 2021-2030 endorsed by Council at its Meeting on 27 January 2022, sets the clear strategic direction which is built on comprehensive expert evidence, community engagement and alignment with the global Sustainable Development Goals (SDGs) and what local government can influence. Both Plans are available on the City of Launceston website https://www.launceston.tas.gov.au/Natural-Environment-and-Waste/Sustainability/Sustainability-Strategies-and-Plans.

The Sustainability Action Plan (SAP) includes the target to:

Power all City of Launceston owned buildings by 100% renewable energy by 2025 and Rooftop solar PV is installed on all City of Launceston owned buildings with high energy usage (>200,000kWh) by 2025.

This includes the following actions:

- continuing the roll out of rooftop solar PV installations on buildings with high daytime energy usage (>200,000kWh).
- continuing to install smart meters and building control systems across the Council's owned assets to understand energy usage, solar power generation and increase energy efficiencies.
- exploring the use of solar batteries for buildings with high night time energy usage.

8.1.6 Public Questions on Notice - Ray Norman - Waste Management Infrastructure

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question/questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, has been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

- 1. Given the shifting priorities in regard to resource recovery and the Council's current Waste Management Infrastructure, will the Council now restructure its operations in this area away from waste management to resource recovery and in doing so:
 - establish community waste watch networks in order to identify recalcitrant waste and resource recovery opportunities;
 - b. provide rewards to community waste watchers for identifying wasteful activity in the community and resource recovery opportunities;
 - c. proactively seek opportunities for resource recovery enterprises not-for-profit and for-profit entities - that occupy appropriate public land within the Council's jurisdiction; and
 - d. proactively seek an operator for a repair café, such as the one that has been established in Hobart, and that exist nationally and internationally?

Response:

The City of Launceston (CoL) has had a strong focus on resource recovery for over two decades and a change to current practices is not intended at this point in time.

The CoL continues to deliver resource recovery services such as recycling, organics diversion, resale opportunities (via Uptippity), walking floor recovery, a recycling hub at the Town Hall and Launceston Recycling Centre which offers recovery for difficult recoverable materials like paint, e-waste, cooking oil, motor oil, cardboard, paper, scrap metal, mobile telephones, flourescent tubes, batteries, clear soft plastics and polystyrene, to list a few.

The CoL participates in The Northern Tasmanian Waste Management Group which actively supports resource recovery opportunities and has consistent State-wide communications via the RETHINK website and Facebook. Through this group, grants are awarded annually to encourage resource recovery projects in the community. Individuals and organisations are rewarded and celebrated through the Waste NOT Awards.

The CoL has also supported the introduction of Regional Circular Economy Development by providing grant funding to successful applicants demonstrating resource recovery and reuse/re-manufacturing outcomes.

Community repair and community interactions are demonstrated via the CoL's support of Men's Sheds programs; repair is also an action at the Uptippity resale shop - particularly bicycles. Further community repair opportunities are being explored through the CoL's Sustainability Action Plan (SAP). The SAP is available on the City of Launceston website.

8.1.7 Public Questions on Notice - Ray Norman - Council Workshops

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

- 1. Given community concerns in regard to the Council's lack of accountability and transparency and class of decision making apparently going on well away from around the table in Open Council, and Councillor general disengagement with their constituents, will the Council now move proactively to:
 - a. replace its fortnightly *Workshop Sessions* with *Community Forums* to enable constituents to canvass community sponsored initiatives;
 - interrogate the Council's implementation of its strategic priorities and planning determinations:
 - c. better ensure the Council's accountability in regard to budget management and policy implementation.

Response:

Other than those expressed by the writer, the Council is unaware of any community concerns being expressed in respect to a lack of accountability and/or transparency. In any event, given the generalised nature of the assertions there is simply no basis for a response.

The Council conducts workshops on a fortnightly basis with the date and purpose of these workshops included in the Council Agenda pursuant to the Local Government (Meeting Procedures) Regulations 2015. There is no intention to replace Councillor workshops with community forums.

In terms of accountability in regard to budget management and policy implementation, the City of Launceston regularly reports to Council regarding the statutory estimates and Council formally considers any necessary amendments to those estimates. The Council already provides ample avenues for members of the public to integrate and/or question its strategic priorities and budget management, with the public advertising of the annual plan and budget being the latest example of this.

Planning determinations are made by Council when sitting as a Planning Authority. The Planning Authority sits in open session and members of the public are welcome make contributions as representors or as speakers during consideration of the items.

8.1.8 Public Questions on Notice - Ray Norman - National Automobile Museum of Tasmania

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following question, submitted to Council on 8 June 2022 by Ray Norman, has been answered by Louise Foster (General Manager Organisational Services Network).

Questions:

1. Will Council please confirm the date upon which the Council was granted ownership of the museum in Lindsay Street by the University of Tasmania? Moreover, will the Council also explain the rationale for the ownership ever being held by the University of Tasmania and furthermore, the Council's apparent reluctance to provide this information in Open Council on several occasions?

Response:

Ownership of the National Automobile building transferred to the City of Launceston (CoL) in December 2021. The CoL was the title holder of the previous site of the National Automobile Museum in Willis Street, Launceston. The Willis Street site was identified as a future location for University of Tasmania (UTAS) buildings as part of the relocation of UTAS from Newnham to the Inveresk site. Contractual arrangements, endorsed by Council at an open Council Meeting, have been transparently reported to the public, resulting in the UTAS constructing the current building at the new site and transferring ownership to CoL following completion.

8.1.9 Public Questions on Notice - Ray Norman - Homelessness Action Plan

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to the Council on 8 June 2022 by Ray Norman, have been answered by Dan Ryan (General Manager Community and Place Network).

Questions:

- 1. Given Council's determination to implement a Homelessness Action Plan for the City, will Council please update its constituency on:
 - a. who has been appointed to the flagged Committee;
 - b. what the Committee's terms of reference are;
 - c. what has been achieved on the ground for those people who find themselves homeless in the City;
 - d. what resources have been installed on appropriate sites to assist homeless people in the City since the flagging of the Homelessness Action Plan;
 - e. who has been engaged with the Council in addressing the City's housing crisis and to what end?

Response:

The transition from the existing Homelessness Response Committee to the new Homelessness Advisory Committee is currently underway. The proposed membership model is detailed within the Homelessness Advisory Committee Terms of Reference as per Agenda Item 13.1 in today's Agenda.

The City of Launceston continues to work with the community and those in the sector to address the complex issue of homelessness. Short term outcomes and resources have been delivered through the provision of portable toilets at locations around the City and the extension of operating hours of the Council's owned and operated shower and toilet facilities. A portable shower unit is on order which will be allocated to an appropriate site upon arrival. The Council's officers continue to engage with the homeless community and service providers via the Homelessness Response Committee. The City of Launceston continues to proactively engage with State and Federal Governments along with a range of service providers to identify potential options to address the housing needs of the City. These conversations are ongoing with a variety of options being discussed at various levels.

8.1.10 Public Questions on Notice - Ray Norman - Graffiti in the City

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

- Given community concerns relating to graffiti in the City generally and especially so in the City's Central Business District and urban shopping centres, will the Council please:
 - a. articulate its graffiti management plan if there is one;
 - b. proactively advise provide property owners with management advice relative to graffiti;
 - c. seek advice within the region's cultural networks in regard to appropriate management strategies for graffiti;
 - d. work with property owners and cultural producers to develop socially and culturally responsible graffiti management strategies;
 - e. provide incentives to bring about and facilitate the installation/initiation of culturally appropriate graffiti sites in the municipality.

Response:

The Council does not have a graffiti management plan, however, it does provide a variety of resources for businesses, property owners and residents on graffiti management, as well as undertake its own graffiti management activities. This information can be found at https://www.launceston.tas.gov.au/Community/Graffiti.

The City of Launceston's Safer Communities Partnership provides guidance to the organisation on discouraging unlawful graffiti and works with agencies to provide alternative outlets. The Council currently works with agencies such as Cityprom and Launceston's Safer Communities Partnership to develop socially and culturally responsible graffiti management strategies. The Council's Cultural Advisory Committee is well placed to provide cultural guidance when addressing similar issues.

Last year The City of Launceston adopted an interim Art in Public Space Policy, an initiative arising from the Council's Cultural Strategy. This policy is designed to facilitate artwork in public spaces and covers a number of art forms including street art. The Council is also finalising a Public Art Strategy which will enable approved artistic creation in both public and private space. Further to this, the recent decision by the Council to waive development application fees for public art is intended to support the activation of public art.

8.1.11 Public Questions on Notice - Ray Norman - Tendering Protocols

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Louise Foster (General Manager Organisational Services Network).

Questions:

1. In order to remove any ambiguity, will the Council now, and with some urgency, given community concerns to do with equity and fairness, articulate in detail the current tendering protocols relative to all classes of expenditure relative to Council's approved recurrent budget. Moreover, will the Council identify all its officers with the authority to expend the Council's funds along with any constraints upon those authorities.

Response:

Other than the writer of the question, the Council is unaware of any community concerns in respect to the equity and fairness of its tendering process.

The City of Launceston's Procurement Policy, Standard Terms and Conditions of Purchase, Conditions of Tender and Code for Tenders and Contracts are all available on the Council's website - www.launceston.tas.gov.au.

These documents are comprehensive and consistent with the relevant legislative requirements.

Purchasing limits are assigned to Council officers with regard to the responsibilities of their role. Controls such as quote requirements are detailed in the Code for Tenders and Contracts. Other controls are detailed in internal procedures and in financial system workflows.

8.1.12 Public Questions on Notice - Ray Norman - Birchalls Aquisition and Paterson Street Car Park

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Communities Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted to the Council in writing on 8 June 2022 by Ray Norman, have been answered by Michael Stretton (Chief Executive Officer).

Questions:

- 1. In reference to the Council's acquisition of the Birchalls building and the attempted purchase of the Paterson Street Central Car Park:
 - a. how did the proposal to acquire the Birchalls Building and the carpark come about and upon whose initiative and under what imagined social licence?
 - b. taking all associated expenditures into account, how much has the Council invested in the building to date?
 - c. taking all associated expenditures into account how much has been invested thus far in the overall proposal to acquire and redevelop the Paterson Street Central Car Park?
 - d. of the total expenditure committed to the Paterson Street Central Car Park project, how much of that sum is attributable to legal expenses?
 - e. given the ongoing litigation relative to the acquisition of the Paterson Street Central Car park site, how much does the Council anticipate expending on legal expenses?
 - f. on what grounds can the Council defend it actions of exposing a property owner and an investor in the City's infrastructure to the extraordinary expenditure that it has?
 - g. in the event of the pending appeal before the Supreme Court failing, what will the total cost of the overall project be and will that ultimately be carried by the municipality's ratepayers?
 - h. should the Council not have purchased the Birchalls Building, how much would its owners have contributed to the Council's budget via rates?

Response:

A detailed response to this question will be provided in the Agenda for the Council Meeting to be held on 30 June 2022.

8.2 Public Questions Without Notice

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

No Public Questions Without Notice were identified as part of these Minutes

9. ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Thursday 2 June 2022

- Attended the From Our Heart to Yours event in Civic Square
- Officiated at the final session for music at the Launceston Competitions

Friday 3 June 2022

- Attended the National Reconciliation Week Breakfast at the Country Club
- Attended the fundraising launch for Commissioned Work by Australian Artist Fiona Hall at Queen Victoria Art Gallery Royal Park

Thursday 9 June 2022

Attended the City Mission's Pay it Forward breakfast

Wednesday 15 June 2022

- Participated in the Walk Against Elder Abuse event
- Officiated at the Telstra Stakeholder Cocktail event

10. COUNCILLORS' REPORTS

(This item provides an opportunity for Councillors 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).

10.1 Councillor D C Gibson

Attended Reconciliation Tasmania's From Our Heart to Yours event

10.2 Councillor A G Harris

- Attended the Walk Against Elder Abuse event
- Attended Telstra's Stakeholder Cocktail event

10.3 Councillor P S Spencer

• Attended the Launceston Running Festival's dinner

11. QUESTIONS BY COUNCILLORS

11.1 Councillors' 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 Chief Executive Officer of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be provided in writing).

No Councillors' Questions on Notice were identified as part of these Minutes

11.2 Councillors' 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 Councillors' Questions Without Notice were identified as part of these Minutes

12. COMMITTEE REPORTS

12.1 Cultural Advisory Committee Meeting - 1 June 2022

FILE NO: SF3547

AUTHOR: Mengda Liu (Cultural Place Development Officer)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To receive a report from the Cultural Advisory Committee Meeting held 1 June 2022.

RECOMMENDATION:

That Council receives the report from the City of Launceston Cultural Advisory Committee Meeting held on 1 June 2022.

DECISION: 16 June 2022

MOTION

Moved Deputy Mayor Councillor D C Gibson, seconded Councillor A E Dawkins.

That Council receives the report from the City of Launceston Cultural Advisory Committee Meeting held on 1 June 2022.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

13. COMMUNITY AND PLACE NETWORK

13.1 Homelessness Advisory Committee - Terms of Reference

FILE NO: SF7000

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To consider the Homelessness Advisory Committee Terms of Reference in preparation for the establishment of the Homelessness Advisory Committee.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Council - 5 May 2022 - Agenda Item 13.3 - Notice of Motion - Councillor T G Walker - Homelessness Action Plan

Workshop - 26 May 2022 - City of Launceston Homelessness Response

RECOMMENDATION:

That Council approves the Homelessness Advisory Committee Terms of Reference as detailed below:

Homelessness Advisory Committee Terms of Reference

The Homelessness Advisory Committee is a Special Committee of Council, established pursuant to section 24 of the *Local Government Act 1993* (Tas).

PURPOSE:

Homelessness is a complex issue and there are many factors that contribute to a person's homelessness. Many of these factors lie outside the remit of local government, however, through an educated, collaborative and needs focussed approach, the City of Launceston is committed to working with community to play a constructive role in the provision of strategies and actions to support the homeless community.

The primary purpose of the Homelessness Advisory Committee is to:

- enable a collaborative approach between key sector service providers, community members and relevant levels of government in addressing the short, medium and long-term needs of Launceston's homeless community.
- identify, support and coordinate achievable actions which will assist in addressing the evolving needs of Launceston's homeless community.
- develop a greater and shared understanding of the roles, responsibilities and priorities within the community in responding to homelessness.

OBJECTIVES:

The objectives of the Homelessness Advisory Committee are to:

- provide a communicative link between the Council and relevant stakeholders;
- provide advice and make recommendations to the Council on issues and matters relating to homelessness;
- facilitate response to issues as raised through the appropriate response agency;
- develop a Homelessness Action Plan that will guide a commitment to addressing the needs of Launceston's homeless community;
- provide recommendations on methods and techniques to better inform and engage the community on homelessness issues; and
- provide advocacy for the needs of Launceston's homeless community.

MEMBERSHIP:

The Homelessness Advisory Committee will include two City of Launceston Councillors, nominated and endorsed by Council, one of whom will be the Chair.

The Committee will include one representative from each of the following agencies:

- Launceston City Mission
- St Vincent de Paul Society
- Anglicare Tasmania
- Tasmania Police
- The Salvation Army
- Shekinah House
- Department of Communities Tasmania

The Committee will also include up to four community member representatives considered by the Committee to have appropriate expertise and experience to contribute to the aims of the Committee and appointed by Council.

The Committee will be supported by:

- General Manager Community and Place Network
- Team Leader Community Development
- One Council Administration Officer

The Council's Officers from Liveable Communities will provide advice and/or assistance to the Committee. From time to time advice and support may be sought from other officers within the Council when their expertise is required.

COMMUNITY MEMBER REPRESENTATIVE SELECTION CRITERIA:

Aside from the Councillors' roles and those representing the organisations referenced, community member representatives will be appointed by the Council and will be selected with consideration to the following criteria:

- professional experience working in a field such as social and community housing, and/or
- lived experience of homelessness; and
- professional experience in social infrastructure and systemic issues across the homelessness, health and welfare sectors, and

- diversity in terms of age, culture, religion, disability, gender, sexual preference, health status, and
- ability to attend meetings in keeping with the meeting schedule determined by the Committee from time to time.

COMMUNITY MEMBER REPRESENTATIVE SELECTION PROCESS:

Community Member Representatives will be appointed in keeping with the Council's Community Appointments to the Advisory Committees Policy.

TERMS OF APPOINTMENT:

- The term of appointment will be for a two year period.
- Members completing a two year term may re-apply for a further two year term.
- Any member may resign at any time by advising their resignation to the Committee in writing.
- If a Committee member is absent without notification for two consecutive meetings, the Committee may declare the position vacant. When a vacancy occurs, the Chair is to report this to the Chief Executive Officer, who will determine the process for filling the vacancy.
- Members are not remunerated for their service to the Committee.

MEETING ARRANGEMENTS:

- If the Chair is not present at a Meeting, the other Councillor who has been appointed to the Committee shall Chair the Meeting.
- The Homelessness Advisory Committee will meet bi-monthly and other times as required according to arrangements agreed to by the Committee. The schedule will be published following this agreement.
- Critical non-scheduled meetings may be convened by the Chair, if the Chair determines the need.
- Meetings will not exceed two hours in duration, unless otherwise advised.
- Agendas will be forwarded to members at least four working days prior to each Meeting.
- Minutes of the Meeting will be circulated to all members within 10 working days of each Meeting.

MEETING QUORUM:

An absolute majority, including at least one Councillor, is considered a quorum for Meetings of the Homelessness Advisory Committee.

MEETING NOTICES:

Meeting Agendas, Minutes and associated papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting. Minutes of the Meeting will be made available for public viewing at www.launceston.tas.gov.au.

HOW THE COMMITTEE WILL OPERATE:

The Homelessness Advisory Committee:

- is an advisory body that provides non-binding strategic guidance to the Council. The Committee does not have delegated authority from Council.
- will be coordinated by a Council officer.
- may establish working groups as needed to address specific projects and may include additional people from the community where there is a specific need.

CODE OF CONDUCT:

Agency and community committee members must adhere to the Code of Conduct for Members of Special Committees. Councillors and the Council's Officers must also adhere to their relevant Code of Conduct. Members will demonstrate our values in actions. City of Launceston is a values-based organisation and we expect the members of our advisory committees to support our values.



Our people matter

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



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

CONFLICT OF INTEREST:

If a Committee member has an actual or perceived interest in a matter to be considered by the Committee, they must declare that interest prior to any discussion of the matter. Interests will be managed in a way that respects the Committee member and the operation of the Committee. In some circumstances, this will mean that a Committee member with a declared interest will be required to withdraw from the Meeting during the discussions of the matter.

The declaration of interest will be noted in the report outlining the Committee's Recommendation to Council.

RESOURCES:

The Council will provide an officer to organise meetings, take minutes and distribute follow-up actions to other officers.

REVIEW:

The Terms of Reference, including membership, will be reviewed at least every two years from the date of adoption of this version.

RELATED POLICIES AND PROCEDURES:

14-Plx-032 - Code of Conduct for Councillors

14-Plx-033 - Code of Conduct for Members of Special Committees

22-PI-030 - Code of Conduct Policy

14-Plx-029 - Community Appointments to Advisory Committees Policy

DECISION: 16 June 2022

MOTION

Moved Deputy Mayor Councillor D C Gibson, seconded Councillor A E Dawkins.

That Council approves the Homelessness Advisory Committee Terms of Reference as detailed below:

Homelessness Advisory Committee Terms of Reference

The Homelessness Advisory Committee is a Special Committee of Council, established pursuant to section 24 of the *Local Government Act 1993* (Tas).

PURPOSE:

Homelessness is a complex issue and there are many factors that contribute to a person's homelessness. Many of these factors lie outside the remit of local government, however, through an educated, collaborative and needs focussed approach, the City of Launceston is committed to working with community to play a constructive role in the provision of strategies and actions to support the homeless community.

The primary purpose of the Homelessness Advisory Committee is to:

- enable a collaborative approach between key sector service providers, community members and relevant levels of government in addressing the short, medium and long-term needs of Launceston's homeless community.
- identify, support and coordinate achievable actions which will assist in addressing the evolving needs of Launceston's homeless community.
- develop a greater and shared understanding of the roles, responsibilities and priorities within the community in responding to homelessness.

OBJECTIVES:

The objectives of the Homelessness Advisory Committee are to:

- provide a communicative link between the Council and relevant stakeholders;
- provide advice and make recommendations to the Council on issues and matters relating to homelessness;
- facilitate response to issues as raised through the appropriate response agency;
- develop a Homelessness Action Plan that will guide a commitment to addressing the needs of Launceston's homeless community;
- provide recommendations on methods and techniques to better inform and engage the community on homelessness issues; and
- provide advocacy for the needs of Launceston's homeless community.

MEMBERSHIP:

The Homelessness Advisory Committee will include two City of Launceston Councillors, nominated and endorsed by Council, one of whom will be the Chair.

The Committee will include one representative from each of the following agencies:

- Launceston City Mission
- St Vincent de Paul Society
- Anglicare Tasmania
- Tasmania Police
- The Salvation Army
- Shekinah House
- Department of Communities Tasmania

The Committee will also include up to four community member representatives considered by the Committee to have appropriate expertise and experience to contribute to the aims of the Committee and appointed by Council.

The Committee will allow for a representative from neighbouring Councils in order to support a region wide approach to addressing the issue of homelessness.

The Committee will be supported by:

- General Manager Community and Place Network
- Team Leader Community Development
- One Council Administration Officer

The Council's Officers from Liveable Communities will provide advice and/or assistance to the Committee. From time to time advice and support may be sought from other officers within the Council when their expertise is required.

COMMUNITY MEMBER REPRESENTATIVE SELECTION CRITERIA:

Aside from the Councillors' roles and those representing the organisations referenced, community member representatives will be appointed by the Council and will be selected with consideration to the following criteria:

- professional experience working in a field such as social and community housing, and/or
- lived experience of homelessness; and
- professional experience in social infrastructure and systemic issues across the homelessness, health and welfare sectors, and
- diversity in terms of age, culture, religion, disability, gender, sexual preference, health status, and
- ability to attend meetings in keeping with the meeting schedule determined by the Committee from time to time.

COMMUNITY MEMBER REPRESENTATIVE SELECTION PROCESS:

Community Member Representatives will be appointed in keeping with the Council's Community Appointments to the Advisory Committees Policy.

TERMS OF APPOINTMENT:

- The term of appointment will be for a two year period.
- Members completing a two year term may re-apply for a further two year term.
- Any member may resign at any time by advising their resignation to the Committee in writing.
- If a Committee member is absent without notification for two consecutive meetings, the Committee may declare the position vacant. When a vacancy occurs, the Chair is to report this to the Chief Executive Officer, who will determine the process for filling the vacancy.
- Members are not remunerated for their service to the Committee.

MEETING ARRANGEMENTS:

- If the Chair is not present at a Meeting, the other Councillor who has been appointed to the Committee shall Chair the Meeting.
- The Homelessness Advisory Committee will meet bi-monthly and other times as required according to arrangements agreed to by the Committee. The schedule will be published following this agreement.
- Critical non-scheduled meetings may be convened by the Chair, if the Chair determines the need.
- Meetings will not exceed two hours in duration, unless otherwise advised.
- Agendas will be forwarded to members at least four working days prior to each Meeting.
- Minutes of the Meeting will be circulated to all members within 10 working days of each Meeting.

MEETING QUORUM:

An absolute majority, including at least one City of Launceston Councillor, is considered a quorum for Meetings of the Homelessness Advisory Committee.

MEETING NOTICES:

Meeting Agendas, Minutes and associated papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting. Minutes of the Meeting will be made available for public viewing at www.launceston.tas.gov.au.

HOW THE COMMITTEE WILL OPERATE:

The Homelessness Advisory Committee:

- is an advisory body that provides non-binding strategic guidance to the Council. The Committee does not have delegated authority from Council.
- will be coordinated by a Council officer.
- may establish working groups as needed to address specific projects and may include additional people from the community where there is a specific need.

CODE OF CONDUCT:

Agency and community committee members must adhere to the Code of Conduct for Members of Special Committees. Councillors and the Council's Officers must also adhere to their relevant Code of Conduct. Members will demonstrate our values in actions. City of Launceston is a values-based organisation and we expect the members of our advisory committees to support our values.



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- we genuinely listen, and value collaborative relationships
- we strive towards the best outcome for our community
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- 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

CONFLICT OF INTEREST:

If a Committee member has an actual or perceived interest in a matter to be considered by the Committee, they must declare that interest prior to any discussion of the matter. Interests will be managed in a way that respects the Committee member and the operation of the Committee. In some circumstances, this will mean that a Committee member with a declared interest will be required to withdraw from the Meeting during the discussions of the matter.

The declaration of interest will be noted in the report outlining the Committee's Recommendation to Council.

RESOURCES:

The Council will provide an officer to organise meetings, take minutes and distribute follow-up actions to other officers.

REVIEW:

The Terms of Reference, including membership, will be reviewed at least every two years from the date of adoption of this version.

RELATED POLICIES AND PROCEDURES:

14-Plx-032 - Code of Conduct for Councillors

14-Plx-033 - Code of Conduct for Members of Special Committees

22-PI-030 - Code of Conduct Policy

14-Plx-029 - Community Appointments to Advisory Committees Policy

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

14. CREATIVE ARTS AND CULTURAL SERVICES NETWORK

14.1 Queen Victoria Museum and Art Gallery Activity Report - February - April 2022

FILE NO: SF5478

AUTHOR: Karina West (Manager Museum Operations)

GENERAL MANAGER: Shane Fitzgerald (Creative Arts and Cultural Services Network)

DECISION STATEMENT:

To receive the Queen Victoria Museum and Art Gallery - February - April 2022 activity report.

RECOMMENDATION:

That Council receives the Queen Victoria Museum and Art Gallery's activity report for the period February - April 2022 (Doc Set ID 4731362).

DECISION: 16 June 2022

MOTION

Moved Deputy Mayor Councillor D C Gibson, seconded Councillor A G Harris.

That Council receives the Queen Victoria Museum and Art Gallery's activity report for the period February - April 2022 (Doc Set ID 4731362).

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15. ORGANISATIONAL SERVICES NETWORK

15.1 Rates and Charges Policy (23-Plx-010)

FILE NO: SF6641/SF0521

AUTHOR: Paul Gimpl (Chief Financial Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the revised Rates and Charges Policy (23-Plx-010).

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas) Fire Services Act 1979 Valuation of Land Act 2001 Waste and Resource Recovery Act 2022

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 June 2021 - Agenda Item 19.1 - Rates and Charges Policy (23-Plx-010)

RECOMMENDATION:

That Council, pursuant to section 86B of the *Local Government Act 1993* (Tas), adopts the revised Rates and Charges Policy (23-Plx-010) as set out below:

Rates and Charges Policy

PURPOSE:

This Policy provides the rating framework that the Council has adopted for rates and charges.

The Policy is prepared in accordance with section 86B of the *Local Government Act 1993* (Tas) (LGA 1993) and provides an overview of the rating framework that Council has adopted.

The Policy reflects the fundamental premise as set out in section 86A of the LGA 1993 that:

- (a) rates are a tax and not a fee for service; and
- (b) the value of land is an indicator of the capacity to pay.

The Council, through the application of this Policy, primarily levies rates based on property values with a contribution through fixed and service charges. The Policy also outlines the Council's approach to the provision of remissions and the management of the rate debt.

SCOPE:

The Policy sets out the Council's rates and charges (taxation) objectives in regard to:

- (a) Statutory compliance; and
- (b) Discretionary matters.

This document is a statement of policy and intent. It does not supersede or overrule the specific rating resolutions and policies that are determined by resolution of the Council.

POLICY:

Rating Objectives

To maintain an appropriate distribution of rates and charges consistent with the principles stated in this Policy with the objectives of:

- (a) Consistent and equitable treatment of all residents and ratepayers;
- (b) Achieving an appropriate mix and distribution of taxation from
 - 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.

Rating Strategies and Methodologies

The strategies and methodologies that have been developed are consistent with the principles and rating objectives as follows.

The valuation methodology is based on assessed annual value.

The inclusion of a general fixed charge (that is not based on a property's value) as a component of the general rate.

The use of service charges for waste management (collection and processing) based on the capacity of the service provided.

Transitional arrangements through the capping of rate increases for residential ratepayers when municipal revaluations occur. Transitional arrangements are also considered in other circumstances where there is the potential for a significant change in rates from a change in the Council's rating structure.

Debt management policies and disincentives intended to encourage the timely payment of rates.

The minimisation of rate remissions to support equitable outcomes for all ratepayers and for the remissions to be strategically targeted to address unintended consequences of legislation and policy.

Exemptions based solely on the legislative provisions of section 87 of the LGA 1993.

Valuation Methodologies

The Council has determined to use assessed annual value as the basis of rates (section 89A(2) of the LGA 1993) within the municipality. Valuations are arranged by the Office of the Valuer General. Municipal valuations occur on a six yearly cycle, with indexation adjustments made between the full revaluation every two years.

Supplementary valuations occur when additions or significant alterations are made to a property. The values are determined as though the alterations existed at the date of the last municipal revaluation, with effect from the date the works are completed.

Rating Structures and Differential Rates

The Council uses the power provided by section 107 of the LGA 1993 to vary the rate based on property use and also by location for properties within a defined area of the City centre. The property usage categories are residential, commercial, industrial, primary production, public (community) service, quarrying or mining, sport or recreation and vacant land (non-use).

The location variation or differential is applied to raise an additional rate for promotional activities within the City centre.

Contribution Methodology

Assessed annual value (AAV) is a differential valuation system where the AAV varies with the use and capital value of the property. Through this differential valuation system together with differential rates based on property usage the contribution from sectors of the municipality varies with changes in property values. The use of assessed annual value is consistent with the rating principles contained in section 86A of the LGA 1993.

Fixed Charge

The Council has resolved to impose a fixed charge (section 91 of the LGA 1993) on each rateable property or tenancy, consistent with the legislation a minimum rate is not also levied. The application of a fixed charge recognises that all rateable properties should make a fixed contribution to the cost of the Council's operations and services. The application of a fixed charge reduces the rates that are raised based on property values. The Council recognises the regressive taxation effect of fixed charges and so limits the amount of the fixed charge. The total revenue raised from the fixed charge must not exceed an amount equal to 50% of the Council's general rates in each rating year.

Service Charges

The Council imposes a service charge (section 94(1) of the LGA 1993) for waste management services. Waste management (the collection of waste and recycling materials) is a defined service for which a pay for use charge is appropriate.

Private operators provide specific services to a limited number of organisations where, for operational reasons, it is not practical or efficient to provide a Council managed service. These organisations are able to opt out of the Council's arranged service.

The Council varies or applies different charges based on the capacity of the bins that are now available, this pricing strategy is intended to provide incentives to reduce waste, encourage recycling and reflect the cost of waste disposal.

The Council also imposes a service charge (section 94(1) of the LGA 1993) for waste management services to offset a levy payable by the Council to the State Government under the Waste and Resource Recovery Act 2022 (the Waste Management Levy Offset Service Charge). The State Government imposed levy will commence at \$20.00 per tonne of waste disposed to the Council's operated landfill facilities, then \$40.00 per tonne after two years and \$60.00 per tonne after two more years. The Waste Management Levy Offset Service Charge will be subject to CPI increases to ensure its purpose is maintained in real terms to offset the State Government imposed levy into the future. The City of Launceston will impose the Waste Management Levy Offset Service Charge on each property that has one or more bins on a per property basis only. Data collected indicates that, on average, each property disposes 0.48 tonnes to landfill per year and at \$20.00 per tonne this equates to a charge of \$9.60 per property with one or more bins for 2022/2023. This amount is disclosed separately on rates notices for properties to which this Waste Management Levy Offset Service Charge applies.

Rating Independent Living Units (Retirement Villages)

General Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from the general rate (section 87(1)(d) of the LGA 1993).

Fire Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from being charged the fire rate.

The appropriateness of discretionary remissions is subject to ongoing monitoring by the Council.

Residential properties or units owned commercially or by private individuals are not exempt from being charged the general rate or fire rate.

Residential Rate Cap (Transitional Arrangements)

The Council supports the fundamental principle, subject to any differential rating structures and remissions, that properties with the same value (in the same usage category) should pay the same rate.

The Council recognises that the municipal revaluation may produce circumstances where the rates on individual properties increase or decrease significantly. In order to assist residential ratepayers to transition to the new rating levels the Council has determined to cap the amount that the general rate (the value based component) can increase at 20 percent per annum following a municipal revaluation.

Debt Management

The Council recognises that some members of the community may not pay the applicable rates and charges either because:

- (a) they choose not to, or
- (b) they are unable to due to financial difficulties.

The Council provides financial disincentives through interest and penalty charges and undertakes commercial debt collection practices to ensure that the payment of rates and charges is given appropriate priority.

The Council seeks to assist those members of the community in genuine financial difficulty through payment arrangements. It also understands that the failure to take appropriate and timely action can have a greater adverse consequence for the ratepayer than the debt collection action.

Unpaid Council rates and charges are a debt that is secured (similarly to a mortgage) against the property (section 119 of the LGA 1993). Thus, any debt must be repaid when the property is sold. The Council has the power to sell a property when debts are outstanding for more than three years (section 137 of the LGA 1993).

Postponement of Payments

Section 125 of the LGA 1993 provides the power for the Council to defer or postpone the payment of rates on the grounds of hardship. The Council has determined that it will not offer this long term debt management facility as there are other commercial facilities that should be used in these circumstances. The Council provides short term payment arrangements.

Rate Remissions

Under section 129 of the LGA 1993 the Council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer and/or class of ratepayers. The Interim Rates and Charges Hardship Policy (23-Plx-011) sets out the process for applications in respect of remissions or postponement of rates, penalties or interest on the basis of financial hardship.

The Council is also required to exempt under section 87 of the LGA 1993 some properties from rates.

Without limiting the application of section 129 of the LGA 1993, the Council has resolved to provide rating remissions via the following policy documents:

- Crown leases/licences for jetties and slipways (23-PI-008)
- Charitable organisations (23-Plx-002)
- Small balances (23-PI-006)
- Interim Rates and Charges Hardship (23-Plx-011)

Other Rates

CBD Promotional Rate

The Council, based on the request of the effected businesses, applies a differential rate to properties used for commercial purposes to fund promotional activities within the central business area (details of the area are specified in the annual rates resolution).

The delivery of the promotional outcomes is provided by Cityprom Ltd under a service agreement with the Council.

State Government Departments and Business Enterprises

State Government properties, with some exceptions related to parks and infrastructure, are subject to rates and charges on the same basis as other properties (section 87(1)(b) of the LGA 1993).

Construction Rates

Construction rates can be levied (sections 97 and 98 of the LGA 1993) related to drainage infrastructure works. The Council uses developer contribution arrangements in preference to construction rates due to limitations contained in section 98 regarding the amount that can be charged.

Separate Rates

Separate rates can be levied (section 100 of the LGA 1993) where the Council believes the services provided are of particular benefit to the *affected land; or the owners or occupiers of that land*.

There are currently no separate rates.

Fire Service Rates

The Council, as required by legislation, raises rates on behalf of the State Fire Commission (section 93A of the LGA 1993). The amount of the rate revenue is determined by the State Fire Commission. The Council receives an administrative fee for the provision of the service.

Payments

The Council has spread the payment dates across the year with the instalments due.

Instalment 1 - 31 August

Instalment 2 - 30 November

Instalment 3 - 31 January

Instalment 4 - 30 April

Penalty charges apply when instalments are not paid by the due date, interest applies on unpaid balances.

Rates can be paid in full, by four instalments or by more frequent payments so long as the instalments are paid by the due date, penalty and interest will not be incurred.

Payment Methods

The Council provides a range of payment facilities that include the use of modern technologies and in person.

Discounts

The Council does not provide payment discounts (section 130 of the LGA 1993) due to the additional cost imposed on those who are unable to take advantage of such a facility (the estimated cost of discount significantly exceeds the additional interest earnings that would result from the take up of the discount).

Application of Payments

Payments are applied to outstanding debts in accordance with the sequence prescribed in the legislation (section 131 of the LGA 1993).

Objection

Objections to rates notices can only be made based on the grounds specified in section 123 of the LGA 1993. The grounds broadly relate to factual or calculation errors.

Objections to valuation can be made under section 28 of the *Valuation of Land Act 2001* (VLA 2001) only on the grounds specified and within 60 days of the date of notice issue. Application can be made for the correction of errors of fact at any time.

Disclaimer

This Policy is a general statement of the Council's intent it is not a statement of legislative compliance. The Policy provisions do not provide a legal basis for a challenge or objection to any rating matters. The Policy is updated from time to time, consistent with the legislation (section 86B(4) of the LGA 1993).

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 AND PROCEDURES:

23-PI-003 Private Use of Council Land 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

23-Plx-011 Interim Rates and Charges Hardship Policy

RELATED LEGISLATION:

Local Government Act 1993 (Tas) (Part 9 - Rates and Charges) Valuation of Land Act 2001 Fire Services Act 1979 Waste and Resource Recovery Act 2022

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

Local Government Rates and Charges - Guidance paper for policy development April 2012

DEFINITIONS:

Economic Efficiency

 Does the rating methodology distort property ownership and development decisions in a way that results in significant efficiency costs?

Simplicity

- Is the system practical and cost-effective to administer?
- Is the system simple to understand and comply with?

Equity

- Does the tax burden fall appropriately across different classes of ratepayers?
 Capacity to Pay (is the tax progressive or regressive?)
- Those with a greater capacity to pay contribute more.

Benefit Principle

Should those who benefit more, contribute more?

Sustainability

- Does the system generate sustainable and reliable revenues?
- Is it durable and flexible in changing conditions?

Cross-border Competitiveness

• Does the rating system undermine the Council as a business location?

REVIEW:

This Policy will be reviewed as required by legislation. Section 86B(4) of the LGA 1993 requires that:

A Council must review its rates and charges policy -

(a) by the end of each successive four-year period after 31 August 2012.

There are other provisions in the legislation that trigger a policy review.

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor A E Dawkins.

That Council, pursuant to section 86B of the *Local Government Act 1993* (Tas), adopts the revised Rates and Charges Policy (23-Plx-010) as set out below:

Rates and Charges Policy

PURPOSE:

This Policy provides the rating framework that the Council has adopted for rates and charges.

The Policy is prepared in accordance with section 86B of the *Local Government Act* 1993 (Tas) (LGA 1993) and provides an overview of the rating framework that Council has adopted.

The Policy reflects the fundamental premise as set out in section 86A of the LGA 1993 that:

- (a) rates are a tax and not a fee for service; and
- (b) the value of land is an indicator of the capacity to pay.

The Council, through the application of this Policy, primarily levies rates based on property values with a contribution through fixed and service charges. The Policy also outlines the Council's approach to the provision of remissions and the management of the rate debt.

SCOPE:

The Policy sets out the Council's rates and charges (taxation) objectives in regard to:

- (a) Statutory compliance; and
- (b) Discretionary matters.

This document is a statement of policy and intent. It does not supersede or overrule the specific rating resolutions and policies that are determined by resolution of the Council.

POLICY:

Rating Objectives

To maintain an appropriate distribution of rates and charges consistent with the principles stated in this Policy with the objectives of:

- (a) Consistent and equitable treatment of all residents and ratepayers;
- (b) Achieving an appropriate mix and distribution of taxation from
 - 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.

Rating Strategies and Methodologies

The strategies and methodologies that have been developed are consistent with the principles and rating objectives as follows.

The valuation methodology is based on assessed annual value.

The inclusion of a general fixed charge (that is not based on a property's value) as a component of the general rate.

The use of service charges for waste management (collection and processing) based on the capacity of the service provided.

Transitional arrangements through the capping of rate increases for residential ratepayers when municipal revaluations occur. Transitional arrangements are also considered in other circumstances where there is the potential for a significant change in rates from a change in the Council's rating structure.

Debt management policies and disincentives intended to encourage the timely payment of rates.

The minimisation of rate remissions to support equitable outcomes for all ratepayers and for the remissions to be strategically targeted to address unintended consequences of legislation and policy.

Exemptions based solely on the legislative provisions of section 87 of the LGA 1993.

Valuation Methodologies

The Council has determined to use assessed annual value as the basis of rates (section 89A(2) of the LGA 1993) within the municipality. Valuations are arranged by the Office of the Valuer General. Municipal valuations occur on a six yearly cycle, with indexation adjustments made between the full revaluation every two years.

Supplementary valuations occur when additions or significant alterations are made to a property. The values are determined as though the alterations existed at the date of the last municipal revaluation, with effect from the date the works are completed.

Rating Structures and Differential Rates

The Council uses the power provided by section 107 of the LGA 1993 to vary the rate based on property use and also by location for properties within a defined area of the City centre. The property usage categories are residential, commercial, industrial, primary production, public (community) service, quarrying or mining, sport or recreation and vacant land (non-use).

The location variation or differential is applied to raise an additional rate for promotional activities within the City centre.

Contribution Methodology

Assessed annual value (AAV) is a differential valuation system where the AAV varies with the use and capital value of the property. Through this differential valuation system together with differential rates based on property usage the contribution from sectors of the municipality varies with changes in property values. The use of assessed annual value is consistent with the rating principles contained in section 86A of the LGA 1993.

Fixed Charge

The Council has resolved to impose a fixed charge (section 91 of the LGA 1993) on each rateable property or tenancy, consistent with the legislation a minimum rate is not also levied. The application of a fixed charge recognises that all rateable properties should make a fixed contribution to the cost of the Council's operations and services. The application of a fixed charge reduces the rates that are raised based on property values. The Council recognises the regressive taxation effect of fixed charges and so limits the amount of the fixed charge. The total revenue raised from the fixed charge must not exceed an amount equal to 50% of the Council's general rates in each rating year.

Service Charges

The Council imposes a service charge (section 94(1) of the LGA 1993) for waste management services. Waste management (the collection of waste and recycling materials) is a defined service for which a pay for use charge is appropriate.

Private operators provide specific services to a limited number of organisations where, for operational reasons, it is not practical or efficient to provide a Council managed service. These organisations are able to opt out of the Council's arranged service.

The Council varies or applies different charges based on the capacity of the bins that are now available, this pricing strategy is intended to provide incentives to reduce waste, encourage recycling and reflect the cost of waste disposal.

The Council also imposes a service charge (section 94(1) of the LGA 1993) for waste management services to offset a levy payable by the Council to the State Government under the *Waste and Resource Recovery Act 2022* (the Waste Management Levy Offset Service Charge). The State Government imposed levy will commence at \$20.00 per tonne of waste disposed to the Council's operated landfill facilities, then \$40.00 per tonne after two years and \$60.00 per tonne after two more years. The Waste Management Levy Offset Service Charge will be subject to CPI increases to ensure its purpose is maintained in real terms to offset the State Government imposed levy into the future. The City of Launceston will impose the Waste Management Levy Offset Service Charge on each property that has one or more bins on a per property basis only. Data collected indicates that, on average, each property disposes 0.48 tonnes to landfill per year and at \$20.00 per tonne this equates to a charge of \$9.60 per property with one or more bins for 2022/2023. This amount is disclosed separately on rates notices for properties to which this Waste Management Levy Offset Service Charge applies.

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General Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from the general rate (section 87(1)(d) of the LGA 1993).

Fire Rate

Residential Independent Living Units within retirement villages which are owned by a charitable organisation and operated exclusively for charitable purposes are exempt from being charged the fire rate.

The appropriateness of discretionary remissions is subject to ongoing monitoring by the Council.

Residential properties or units owned commercially or by private individuals are not exempt from being charged the general rate or fire rate.

Residential Rate Cap (Transitional Arrangements)

The Council supports the fundamental principle, subject to any differential rating structures and remissions, that properties with the same value (in the same usage category) should pay the same rate.

The Council recognises that the municipal revaluation may produce circumstances where the rates on individual properties increase or decrease significantly. In order to assist residential ratepayers to transition to the new rating levels the Council has determined to cap the amount that the general rate (the value based component) can increase at 20 percent per annum following a municipal revaluation.

Debt Management

The Council recognises that some members of the community may not pay the applicable rates and charges either because:

- (a) they choose not to, or
- (b) they are unable to due to financial difficulties.

The Council provides financial disincentives through interest and penalty charges and undertakes commercial debt collection practices to ensure that the payment of rates and charges is given appropriate priority.

The Council seeks to assist those members of the community in genuine financial difficulty through payment arrangements. It also understands that the failure to take appropriate and timely action can have a greater adverse consequence for the ratepayer than the debt collection action.

Unpaid Council rates and charges are a debt that is secured (similarly to a mortgage) against the property (section 119 of the LGA 1993). Thus, any debt must be repaid when the property is sold. The Council has the power to sell a property when debts are outstanding for more than three years (section 137 of the LGA 1993).

Postponement of Payments

Section 125 of the LGA 1993 provides the power for the Council to defer or postpone the payment of rates on the grounds of hardship. The Council has determined that it will not offer this long term debt management facility as there are other commercial facilities that should be used in these circumstances. The Council provides short term payment arrangements.

Rate Remissions

Under section 129 of the LGA 1993 the Council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer and/or class of ratepayers. The Interim Rates and Charges Hardship Policy (23-Plx-011) sets out the process for applications in respect of remissions or postponement of rates, penalties or interest on the basis of financial hardship.

The Council is also required to exempt under section 87 of the LGA 1993 some properties from rates.

Without limiting the application of section 129 of the LGA 1993, the Council has resolved to provide rating remissions via the following policy documents:

- Crown leases/licences for jetties and slipways (23-PI-008)
- Charitable organisations (23-Plx-002)
- Small balances (23-PI-006)
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Other Rates

CBD Promotional Rate

The Council, based on the request of the effected businesses, applies a differential rate to properties used for commercial purposes to fund promotional activities within the central business area (details of the area are specified in the annual rates resolution).

The delivery of the promotional outcomes is provided by Cityprom Ltd under a service agreement with the Council.

State Government Departments and Business Enterprises

State Government properties, with some exceptions related to parks and infrastructure, are subject to rates and charges on the same basis as other properties (section 87(1)(b) of the LGA 1993).

Construction Rates

Construction rates can be levied (sections 97 and 98 of the LGA 1993) related to drainage infrastructure works. The Council uses developer contribution arrangements in preference to construction rates due to limitations contained in section 98 regarding the amount that can be charged.

Separate Rates

Separate rates can be levied (section 100 of the LGA 1993) where the Council believes the services provided are of particular benefit to the affected land; or the owners or occupiers of that land.

There are currently no separate rates.

Fire Service Rates

The Council, as required by legislation, raises rates on behalf of the State Fire Commission (section 93A of the LGA 1993). The amount of the rate revenue is determined by the State Fire Commission. The Council receives an administrative fee for the provision of the service.

Payments

The Council has spread the payment dates across the year with the instalments due.

Instalment 1 - 31 August

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Instalment 3 - 31 January

Instalment 4 - 30 April

Penalty charges apply when instalments are not paid by the due date, interest applies on unpaid balances.

Rates can be paid in full, by four instalments or by more frequent payments so long as the instalments are paid by the due date, penalty and interest will not be incurred.

Payment Methods

The Council provides a range of payment facilities that include the use of modern technologies and in person.

Discounts

The Council does not provide payment discounts (section 130 of the LGA 1993) due to the additional cost imposed on those who are unable to take advantage of such a facility (the estimated cost of discount significantly exceeds the additional interest earnings that would result from the take up of the discount).

Application of Payments

Payments are applied to outstanding debts in accordance with the sequence prescribed in the legislation (section 131 of the LGA 1993).

Objection

Objections to rates notices can only be made based on the grounds specified in section 123 of the LGA 1993. The grounds broadly relate to factual or calculation errors.

Objections to valuation can be made under section 28 of the *Valuation of Land Act* 2001 (VLA 2001) only on the grounds specified and within 60 days of the date of notice issue. Application can be made for the correction of errors of fact at any time.

Disclaimer

This Policy is a general statement of the Council's intent it is not a statement of legislative compliance. The Policy provisions do not provide a legal basis for a challenge or objection to any rating matters. The Policy is updated from time to time, consistent with the legislation (section 86B(4) of the LGA 1993).

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 AND PROCEDURES:

23-PI-003 Private Use of Council Land 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

23-Plx-011 Interim Rates and Charges Hardship Policy

RELATED LEGISLATION:

Local Government Act 1993 (Tas) (Part 9 - Rates and Charges)
Valuation of Land Act 2001
Fire Services Act 1979
Waste and Resource Recovery Act 2022

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

Local Government Rates and Charges - Guidance paper for policy development April 2012

DEFINITIONS:

Economic Efficiency

• Does the rating methodology distort property ownership and development decisions in a way that results in significant efficiency costs?

Simplicity

- Is the system practical and cost-effective to administer?
- Is the system simple to understand and comply with?

Equity

- Does the tax burden fall appropriately across different classes of ratepayers? Capacity to Pay (is the tax progressive or regressive?)
- Those with a greater capacity to pay contribute more.

Benefit Principle

• Should those who benefit more, contribute more?

Sustainability

- Does the system generate sustainable and reliable revenues?
- Is it durable and flexible in changing conditions?

Cross-border Competitiveness

Does the rating system undermine the Council as a business location?

REVIEW:

This Policy will be reviewed as required by legislation. Section 86B(4) of the LGA 1993 requires that:

- A Council must review its rates and charges policy -
- (a) by the end of each successive four-year period after 31 August 2012.

There are other provisions in the legislation that trigger a policy review.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15.2 Budget 2022/2023 - City of Launceston Rating Framework

FILE NO: SF6641/SF0521

AUTHOR: Paul Gimpl (Chief Financial Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider adoption of the Rating Framework for the financial year ending 30 June 2023.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Valuation of Land Act 2001
Fire Services Act 1979
Waste and Resource Recovery Act 2022

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 June 2021 - Agenda Item 19.2 - Budget 2021/2022 - City of Launceston Rating Framework

RECOMMENDATION:

That Council, by absolute majority, pursuant to Part 9 of the *Local Government Act 1993* (Tas), adopts the following Rating Framework for the financial year ending 30 June 2023:

Rating Resolution

1. General Rate:

- 1.1 Pursuant to sections 90 and 91 of the *Local Government Act 1993* (Tas), Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of section 87) within the municipal area of Launceston for the period commencing 1 July 2022 and ending 30 June 2023, which consists of two components as follows:
 - (a) a rate of 5.8975 cents in the dollar of the assessed annual value of the land; and
 - (b) a fixed charge of \$312.80.
- 1.2 Pursuant to section 107(1) and (2) of the *Local Government Act 1993* (Tas), by reason of:
 - (a) the use or non-use of any land which is within the municipal area; and
 - (b) the locality of the land;

Council declares, by absolute majority, that component 1.1(a) of the General Rate is varied for the financial year as follows:

- for land used for commercial purposes, that is not located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **1.1290** cents in the dollar to **7.0265** cents in the dollar of the assessed annual value of the land;
- (ii) for land used for commercial purposes and which is located within the area known as the CBD Rate Variation Locality, the rate is varied by **increasing** it by **2.1672** cents in the dollar to **8.0647** cents in the dollar of the assessed annual value of the land;
- (iii) for land used for industrial purposes, the rate is varied by **increasing** it by **0.6313**cents in the dollar to **6.5288** cents in the dollar of the assessed annual value of the land:
- (iv) for land used for public purposes, the rate is varied by increasing it by 1.1340 cents in the dollar to 7.0315 cents in the dollar of the assessed annual value of the land;
- (v) for land used for primary production purposes, the rate is varied by decreasing it by 0.3111 cents in the dollar to 5.5864 cents in the dollar of the assessed annual value of the land;
- (vi) for land used for sporting or recreation facilities, the rate is varied by increasing it by 1.1522 cents in the dollar to 7.0497 cents in the dollar of the assessed annual value of the land;
- (vii) for land used for quarrying or mining, the rate is varied by **decreasing** it by **0.8104** cents in the dollar to **5.0871** cents in the dollar of the assessed annual value of the land; and
- (viii) for land which is vacant land, the rate is varied by **decreasing** it by **0.4333** cents in the dollar to **5.4642** cents in the dollar of the assessed annual value of the land.

Definition CBD Rate Variation Locality

- 1.3 Pursuant to section 107(1)(c) of the Local Government Act 1993 (Tas), Council declares by absolute majority, that the location of any land which is within the following parts of the municipal area shall be defined as within the CBD Rate Variation Locality for the purposes of clause 1.2 above, namely:
 - (a) that portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
 - (b) those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
 - (c) those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);
 - (d) those properties having a frontage on the Northern side of Cameron Street from numbers 44 to 70 (both inclusive) and on the Southern side of that Street from numbers 41 to 93 (both inclusive);
 - (e) those properties having a frontage on the Eastern side of St John Street from numbers 119 to 153 (both inclusive) and on the Western side of that Street from numbers 116 to 128 (both inclusive);
 - (f) those properties having a frontage on the Eastern side of Charles Street from numbers 179 to 205 (both inclusive) and on the Western side of that Street from numbers 126 to 156 (both inclusive); and

(g) those properties having a frontage on the Northern side of Brisbane Street from numbers 36 to 60 (both inclusive) and those having a frontage on the Southern side of that Street from numbers 43 to 65 (both inclusive).

Maximum Percentage Increase

- 1.4 Pursuant to section 88A of the Local Government Act 1993 (Tas), Council by absolute majority, sets a maximum percentage increase cap on component 1.1(a) of the general rate of 500% where that increase has occurred as a result of municipal revaluation undertaken in accordance with section 20 of the Valuation of Land Act 2001.
- 1.5 Pursuant to section 107 of the *Local Government Act 1993* (Tas), Council declares by absolute majority, that the maximum percentage cap referred to in 1.4 above is varied to 20% for all land which is used or predominantly used for residential purposes.

2. Service Charges - Waste Management Service:

Pursuant to section 94, of the *Local Government Act 1993* (Tas), Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July 2022 and ending on 30 June 2023, namely:

- 2.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:
 - (i) the supply of mobile garbage bins;
 - (ii) the supply of a recycling service;

as follows:

- (a) (i) \$148.30 for an existing 85 litre mobile garbage bin and one recycle bin;
 - (ii) \$191.60 for a 140 litre mobile garbage bin and one recycle bin;
 - (iii) \$317.40 for a 240 litre mobile garbage bin and one recycle bin; and
- 2.2 Pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, varies each of the charges at clause 2.1(a) above within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and/or quarrying or mining purposes as follows:
 - (i) \$148.30 for an existing 85 litre mobile garbage bin;
 - (ii) \$191.60 for a 140 litre mobile garbage bin;
 - (iii) \$317.40 for a 240 litre mobile garbage bin.
- 2.3 In respect of the service charges for waste management:
 - (a) if any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued by the Valuer-General pursuant to section 11(3)(c) of the *Valuation of Land Act 2001*, then the charge applies to each such separate occupation;

- (b) pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
 - (i) for all land used for residential purposes where there is more than one separate right of occupation which is separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, and where the rate payer has elected by notice in writing delivered to the Chief Executive Officer on or before 1 July 2022, not to have a waste management service, then the service charge is varied to **NiI**;
 - (ii) for all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities, quarrying and mining purposes and where the rate payer in respect of that land elects by notice in writing delivered to the Chief Executive Officer on or before 1 July 2022 not to have a waste management service, then the service charge is varied to **Nil**.
- 2.4 A service charge for waste management services to offset a levy payable by the Council to the State Government under the *Waste and Resource Recovery Act* 2022 (a Waste Management Levy Offset Service Charge) as follows:

\$9.60 in respect of all land to which the service charge for waste management applies pursuant to 2.1 and 2.3(a).

3. Service Rates - Fire Service:

3.1 Pursuant to section 93A of the Local Government Act 1993 (Tas), Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the Local Government Act 1993 (Tas)) for the period commencing 1 July 2022 and ending on 30 June 2023, as follows:

District	Cents in the dollar of
	Assessed Annual
	Value
Launceston Permanent Brigade Rating District	1.16700
Lilydale Volunteer Brigade Rating District	0.32606
General Land	0.29869

3.2 Pursuant to section 93(3) of the *Local Government Act 1993* (Tas), Council sets a minimum amount payable in respect of this service rate of **\$44.00** for each rateable parcel of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the *Local Government Act 1993* (Tas)).

4. Separate Land:

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

5. Adjusted Values:

5.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the *Local Government Act 1993* (Tas).

6. Instalment Payment:

- 6.1 Pursuant to section 124 of the Local Government Act 1993 (Tas), Council:
 - (a) decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
 - (b) determines that the dates by which instalments are to be paid shall be as follows:
 - (i) the first instalment on or before 31 August, 2022;
 - (ii) the second instalment on or before 30 November, 2022;
 - (iii) the third instalment on or before 31 January, 2023; and
 - (iv) the fourth instalment on or before 30 April, 2023.
 - (c) if a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

7. Penalty and Interest:

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

8. Words and Expressions:

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

<u>DECISION</u>: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor P S Spencer.

Rating Resolution

1. General Rate:

1.1 Pursuant to sections 90 and 91 of the *Local Government Act 1993* (Tas), Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of section 87) within the municipal area of Launceston for the period commencing 1 July 2022 and ending 30 June 2023, which consists of two components as follows:

- (a) a rate of 5.8975 cents in the dollar of the assessed annual value of the land; and
- (b) a fixed charge of \$312.80.
- 1.2 Pursuant to section 107(1) and (2) of the *Local Government Act 1993* (Tas), by reason of:
 - (a) the use or non-use of any land which is within the municipal area; and
 - (b) the locality of the land;

Council declares, by absolute majority, that component 1.1(a) of the General Rate is varied for the financial year as follows:

- (i) for land used for commercial purposes, that is not located within the area known as the CBD Rate Variation Locality, the rate is varied by increasing it by 1.1290 cents in the dollar to 7.0265 cents in the dollar of the assessed annual value of the land;
- (ii) for land used for commercial purposes and which is located within the area known as the CBD Rate Variation Locality, the rate is varied by increasing it by 2.1672 cents in the dollar to 8.0647 cents in the dollar of the assessed annual value of the land;
- (iii) for land used for industrial purposes, the rate is varied by increasing it by 0.6313cents in the dollar to 6.5288 cents in the dollar of the assessed annual value of the land;
- (iv) for land used for public purposes, the rate is varied by increasing it by 1.1340 cents in the dollar to 7.0315 cents in the dollar of the assessed annual value of the land;
- (v) for land used for primary production purposes, the rate is varied by decreasing it by 0.3111 cents in the dollar to 5.5864 cents in the dollar of the assessed annual value of the land;
- (vi) for land used for sporting or recreation facilities, the rate is varied by increasing it by 1.1522 cents in the dollar to 7.0497 cents in the dollar of the assessed annual value of the land;
- (vii) for land used for quarrying or mining, the rate is varied by decreasing it by 0.8104 cents in the dollar to 5.0871 cents in the dollar of the assessed annual value of the land; and
- (viii) for land which is vacant land, the rate is varied by decreasing it by 0.4333 cents in the dollar to 5.4642 cents in the dollar of the assessed annual value of the land.

Definition CBD Rate Variation Locality

- 1.3 Pursuant to section 107(1)(c) of the *Local Government Act 1993* (Tas), Council declares by absolute majority, that the location of any land which is within the following parts of the municipal area shall be defined as within the CBD Rate Variation Locality for the purposes of clause 1.2 above, namely:
 - (a) that portion of the City of Launceston as is bounded by Wellington, Cameron, George and York Streets;
 - (b) those properties having a frontage on the Eastern side of George Street from numbers 37 to 115 (both inclusive);
 - (c) those properties having a frontage on the Southern side of York Street from numbers 45 to 123 (both inclusive);

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

Maximum Percentage Increase

- 1.4 Pursuant to section 88A of the *Local Government Act 1993* (Tas), Council by absolute majority, sets a maximum percentage increase cap on component 1.1(a) of the general rate of 500% where that increase has occurred as a result of municipal revaluation undertaken in accordance with section 20 of the *Valuation of Land Act 2001*.
- 1.5 Pursuant to section 107 of the *Local Government Act 1993* (Tas), Council declares by absolute majority, that the maximum percentage cap referred to in 1.4 above is varied to 20% for all land which is used or predominantly used for residential purposes.
- 2. Service Charges Waste Management Service:

Pursuant to section 94, of the *Local Government Act 1993* (Tas), Council makes the following service charges on all rateable land within the municipal area of Launceston (including land which is otherwise exempt from rates pursuant to section 87 but excluding land owned by the Crown to which the Council does not supply any of the following services) for the period commencing 1 July 2022 and ending on 30 June 2023, namely:

- 2.1 Service charges for waste management in respect of all land to which the Council supplies different waste management services comprising:
 - (i) the supply of mobile garbage bins;
 - (ii) the supply of a recycling service;

as follows:

- (a) (i) \$148.30 for an existing 85 litre mobile garbage bin and one recycle bin;
 - (ii) \$191.60 for a 140 litre mobile garbage bin and one recycle bin;
 - (iii) \$317.40 for a 240 litre mobile garbage bin and one recycle bin; and
- 2.2 Pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, varies each of the charges at clause 2.1(a) above within different parts of the municipal area for land used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities and/or quarrying or mining purposes as follows:

- (i) \$148.30 for an existing 85 litre mobile garbage bin;
- (ii) \$191.60 for a 140 litre mobile garbage bin;
- (iii) \$317.40 for a 240 litre mobile garbage bin.
- 2.3 In respect of the service charges for waste management:
 - (a) if any land to which the waste management service is supplied is the subject of separate rights of occupation which are separately valued by the Valuer-General pursuant to section 11(3)(c) of the *Valuation of Land Act 2001*, then the charge applies to each such separate occupation;
 - (b) pursuant to section 94(3) of the *Local Government Act 1993* (Tas), Council by absolute majority, declares that the service charge varies within different parts of the municipal area by reference to the use or predominant use of land as follows:
 - (i) for all land used for residential purposes where there is more than one separate right of occupation which is separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, and where the rate payer has elected by notice in writing delivered to the Chief Executive Officer on or before 1 July 2022, not to have a waste management service, then the service charge is varied to Nil;
 - (ii) for all land which is used or predominantly used for commercial or industrial purposes, public purposes, primary production, sporting or recreation facilities, quarrying and mining purposes and where the rate payer in respect of that land elects by notice in writing delivered to the Chief Executive Officer on or before 1 July 2022 not to have a waste management service, then the service charge is varied to Nil.
- 2.4 A service charge for waste management services to offset a levy payable by the Council to the State Government under the *Waste and Resource Recovery Act* 2022 (a Waste Management Levy Offset Service Charge) as follows:

\$9.60 in respect of all land to which the service charge for waste management applies pursuant to 2.1 and 2.3(a).

- 3. Service Rates Fire Service:
- 3.1 Pursuant to section 93A of the *Local Government Act 1993* (Tas), Council makes the following service rates in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the *Local Government Act 1993* (Tas)) for the period commencing 1 July 2022 and ending on 30 June 2023, as follows:

District	Cents in the dollar of	
	Assessed Annual	
	Value	
Launceston Permanent Brigade Rating District	1.16700	
Lilydale Volunteer Brigade Rating District	0.32606	
General Land	0.29869	

3.2 Pursuant to section 93(3) of the *Local Government Act 1993* (Tas), Council sets a minimum amount payable in respect of this service rate of \$44.00 for each rateable parcel of land within the municipal area of Launceston (excluding land which is exempt pursuant to the provisions of section 87 of the *Local Government Act 1993* (Tas)).

4. Separate Land:

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

5. Adjusted Values:

5.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the *Local Government Act 1993* (Tas).

6. Instalment Payment:

- 6.1 Pursuant to section 124 of the Local Government Act 1993 (Tas), Council:
 - (a) decides that all rates are payable by all rate payers by four instalments which must be of approximately equal amounts.
 - (b) determines that the dates by which instalments are to be paid shall be as follows:
 - (i) the first instalment on or before 31 August, 2022;
 - (ii) the second instalment on or before 30 November, 2022;
 - (iii) the third instalment on or before 31 January, 2023; and
 - (iv) the fourth instalment on or before 30 April, 2023.
 - (c) if a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

7. Penalty and Interest:

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

8. Words and Expressions:

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

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15.3 City of Launceston Annual Plan 2022/2023

FILE NO: SF6812

AUTHOR: Courtney Osborne (Corporate Performance and Planning Officer)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider adoption of the City of Launceston Annual Plan 2022/2023.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 17 March 2022 - 2022/2023 City of Launceston Annual Plan and Budget

Council - 21 April 2022 - Agenda Item 14.1 - Draft Proposed 2022-2023 Annual Plan and Statutory Estimates (Budget)

RECOMMENDATION:

That Council:

- 1. pursuant to section 71 of the *Local Government Act 1993* (Tas), adopts the City of Launceston Annual Plan 2022/2023 (ECM Doc Set ID 4731503); and
- notes that, pursuant to section 71(3) of the Local Government Act 1993 (Tas), a copy of the City of Launceston Annual Plan 2022/2023 adopted at Recommendation 1. will be made available for public inspection and provided to the Directors of Local Government and Public Health.

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Deputy Mayor Councillor D C Gibson.

That Council:

- 1. pursuant to section 71 of the *Local Government Act 1993* (Tas), adopts the City of Launceston Annual Plan 2022/2023 (ECM Doc Set ID 4731503); and
- 2. notes that, pursuant to section 71(3) of the *Local Government Act 1993* (Tas), a copy of the City of Launceston Annual Plan 2022/2023 adopted at Recommendation 1. will be made available for public inspection and provided to the Directors of Local Government and Public Health.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15.4 Budget 2022/2023 City of Launceston Statutory Estimates

FILE NO: SF6939

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the adoption of the Council's Statutory Estimates for the financial year ending 30 June 2023.

This decision requires an absolute majority of Council.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 5 August 2021 - Strategic and Financial Planning Approach

Workshop - 14 October 2021 - Long Term Financial Plan and Strategic Asset Management Plan

Workshop - 17 March 2022 - 2022/2023 Annual Plan and Budget

Workshop - 31 March 2022 - Follow Up Budget Discussion

Council - 21 April 2022 - Agenda Item 14.1 - Draft Proposed 2022/2023 Annual Plan and Statutory Estimates (Budget)

Workshop - 12 May 2022 - Budget, Rate Modelling and Public Consultation Feedback

RECOMMENDATION:

That Council, by absolute majority:

1. pursuant to section 82(20) of the Local Government Act 1993 (Tas), adopts:

(a)	Estimated Revenue (including Capital Grants)	\$122.396m
(b)	Estimated Expenditure	
	- Operating	\$127.324m
	- Capital	\$18.237m
(c)	Estimated Borrowings	

Loans - LGLP*

\$6.0m

(d) Estimated Capital Works

Council Funded \$16.616m **Externally Funded** \$1.621m

- * Local Government Loans Program administered by the Department of Treasury and Finance on behalf of the Tasmanian Government. This borrowing was scheduled for 2021/2022 but did not proceed.
- 2. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Statutory Estimates for the financial year ending 30 June 2023 as detailed in Attachment 1 (Doc Set ID 4730956).

	2023 (\$m)	2022 (\$m)
Revenue	122.4	115.1
Revenue (excluding Capital Funds)	120.8	113.3
Expenditure	127.3	120.4
Expenditure (excluding non-cash costs)	101.8	96.2
Capital Funds (Council and External funded)	18.2	24.8
Council Funded Capital Works	16.6	23.1
External Funded Capital Works	1.6	1.8
Loan Borrowings (LGLP)	6.0	6.0
Loan Repayments (LGLP)	0.0	9.0

3. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Capital Projects and Major Operational Projects for the financial year ending 30 June 2023 as detailed in Attachment 2 (Doc Set ID 4730957) and Attachment 3 (Doc Set ID 4730959) respectively.

DECISION: 16 June 2022

MOTION

Moved Councillor T G Walker, seconded Councillor P S Spencer.

That Council, by absolute majority:

1. pursuant to section 82(20) of the Local Government Act 1993 (Tas), adopts:

(a)	Estima	ated	Revenue	(including	Capital	Grants)	\$122.396m
/· \		_					

(b) Estimated Expenditure

- Operating \$127.324m - Capital \$18.237m

(c) Estimated Borrowings

- Loans - LGLP* \$6.0m

(d) Estimated Capital Works

- Council Funded \$16.616m - Externally Funded \$1.621m

^{*} Local Government Loans Program - administered by the Department of Treasury and Finance on behalf of the Tasmanian Government. This borrowing was scheduled for 2021/2022 but did not proceed.

2. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Statutory Estimates for the financial year ending 30 June 2023 as detailed in Attachment 1 (Doc Set ID 4730956).

	2023 (\$m)	2022 (\$m)
Revenue	122.4	115.1
Revenue (excluding Capital Funds)	120.8	113.3
Expenditure	127.3	120.4
Expenditure (excluding non-cash costs)	101.8	96.2
Capital Funds (Council and External funded)	18.2	24.8
Council Funded Capital Works	16.6	23.1
External Funded Capital Works	1.6	1.8
Loan Borrowings (LGLP)	6.0	6.0
Loan Repayments (LGLP)	0.0	9.0

3. pursuant to section 82(3)(a) of the *Local Government Act 1993* (Tas), adopts the Proposed Capital Projects and Major Operational Projects for the financial year ending 30 June 2023 as detailed in Attachment 2 (Doc Set ID 4730957) and Attachment 3 (Doc Set ID 4730959) respectively subject to the removal of the capital project Invermay Road/Lindsay Street Traffic Signals at a value of \$1.5m.

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15.5 Public Question Time Policy 14-Plx-037

FILE NO: SF0975

AUTHOR: Leanne Purchase (Manager Governance)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider adoption of a Public Question Time Policy.

RELEVANT LEGISLATION:

Local Government Act 1993 (Tas)
Local Government (Meeting Procedures) Regulations 2015

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 14 April 2022 - Draft Public Question Time Policy

RECOMMENDATION:

That Council, pursuant to regulation 31(7) of the *Local Government (Meeting Procedures) Regulations 2015* adopts the Public Question Time Policy 14-Plx-037 as stated below:

Public Question Time Policy

One of the ways the Council embraces the organisational value *We care about our community* is by inviting members of the public to ask questions about the activities of the Council during Public Question Time at ordinary Council Meetings. Respectful contributions from members of the public are welcome and appreciated.

Public Question Time is managed to these conditions:

- 15 minutes is available, as required, at each ordinary Council Meeting for Public Question Time.
- This time may be extended at the discretion of the Chairperson.
- Debate or discussion about questions or answers is not permitted.
- The Chairperson may refuse to accept a question. If this happens, reasons will be provided.
- A limit of three questions per person applies per Meeting.
- <u>Multiple-part questions framed in such a way as to circumvent the limit of three questions per person, will be treated as individual questions.</u>

In addition to the above, questions asked during Public Question Time may be asked with or without notice:

Questions on Notice

- Questions on Notice must be submitted at least seven days before the ordinary Council Meeting. The seven-day period does not include the day notice is given or the day of the ordinary Council Meeting.
- The questions and responses will usually be published in the Agenda of the next ordinary Council Meeting.
- If more time is needed to respond to complex questions, the questions will be acknowledged in the Agenda of the next ordinary Council Meeting, with the date of the later ordinary Council Meeting at which response/s will be published.
- If more than three questions per person are submitted, additional questions will be treated as correspondence and a written response will be provided in keeping with the Council's Customer Service Charter (05-Plx-008) and relevant communication protocols.
- Only questions will be published in the Agenda. Accompanying correspondence, statements or preamble will not be published.

Questions Without Notice

- Members of the public who attend an ordinary Council Meeting to ask Questions Without Notice will be invited to write their name and questions on arrival at the Council Chambers, to assist with minute-taking.
- The Chairperson will determine the order in which people will be invited to ask their questions.
- Questions must be succinct; Public Question Time is not an opportunity to make statements or engage in lengthy preamble.
- The Chairperson may require a person who asks a Question Without Notice to put their Question on Notice so it can be answered at a future ordinary Council Meeting.
- Questions asked during Public Question Time, and answers given, will be minuted with attribution to the person asking the question and to the person who answers the question.

Please note that Public Question Time is live-streamed and recorded. At the time of writing, the Council streams and records audio only but from time to time, the Chairperson may permit third parties to stream and record audio and video (for example, the media).

PURPOSE:

The purpose of this policy is to contribute to the orderly preparation for and conduct of ordinary Council Meetings by stating the Council's position in relation to Public Question Time.

SCOPE:

This policy applies to members of the public who wish to ask questions of the Council during Public Question Time at the City of Launceston's ordinary Council Meetings. This policy does not apply to members of the public who attend ordinary Council Meetings to make a statement in relation to a listed item on the Agenda.

PRINCIPLES:



Our people matter



We care about our community



We bring an open mind



We go home safe and well

RELATED POLICIES and PROCEDURES:

05-Plx-008 Customer Service Charter

RELATED LEGISLATION:

Local Government Act 1993 (Tas) Local Government (Meeting Procedures) Regulations 2015

REFERENCES:

Council Meeting Procedures - Information Sheet November 2018, Department of Premier and Cabinet, Office of Local Government, accessed 29 March 2022 at Department of Premier and Cabinet (dpac.tas.gov.au)

DEFINITIONS:

Member of the public - residents and ratepayers from the Launceston Municipal Area.

REVIEW

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

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor J G Cox.

That Council, pursuant to regulation 31(7) of the *Local Government (Meeting Procedures) Regulations 2015* adopts the Public Question Time Policy 14-Plx-037 as stated below:

Public Question Time Policy

One of the ways the Council embraces the organisational value *We care about our community* is by inviting members of the public to ask questions about the activities of the Council during Public Question Time at ordinary Council Meetings. Respectful contributions from members of the public are welcome and appreciated.

Public Question Time is managed to these conditions:

- 15 minutes is available, as required, at each ordinary Council Meeting for Public Question Time.
- This time may be extended at the discretion of the Chairperson.
- Debate or discussion about questions or answers is not permitted.
- The Chairperson may refuse to accept a question. If this happens, reasons will be provided.
- A limit of three questions per person applies per Meeting.
- <u>Multiple-part questions framed in such a way as to circumvent the limit of three</u> questions per person, will be treated as individual questions.

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- Questions on Notice must be submitted at least seven days before the ordinary Council Meeting. The seven-day period does not include the day notice is given or the day of the ordinary Council Meeting.
- The questions and responses will usually be published in the Agenda of the next ordinary Council Meeting.
- If more time is needed to respond to complex questions, the questions will be acknowledged in the Agenda of the next ordinary Council Meeting, with the date of the later ordinary Council Meeting at which response/s will be published.
- If more than three questions per person are submitted, additional questions will be treated as correspondence and a written response will be provided in keeping with the Council's Customer Service Charter (05-Plx-008) and relevant communication protocols.
- Only questions will be published in the Agenda. Accompanying correspondence, statements or preamble will not be published.

Questions Without Notice

- Members of the public who attend an ordinary Council Meeting to ask Questions Without Notice will be invited to write their name and questions on arrival at the Council Chambers, to assist with minute-taking.
- The Chairperson will determine the order in which people will be invited to ask their questions.
- Questions must be succinct; Public Question Time is not an opportunity to make statements or engage in lengthy preamble.
- The Chairperson may require a person who asks a Question Without Notice to put their Question on Notice so it can be answered at a future ordinary Council Meeting.
- Questions asked during Public Question Time, and answers given, will be minuted with attribution to the person asking the question and to the person who answers the question.

Please note that Public Question Time is live-streamed and recorded. At the time of writing, the Council streams and records audio only but from time to time, the Chairperson may permit third parties to stream and record audio and video (for example, the media).

PURPOSE:

The purpose of this policy is to contribute to the orderly preparation for and conduct of ordinary Council Meetings by stating the Council's position in relation to Public Question Time.

SCOPE:

This policy applies to members of the public who wish to ask questions of the Council during Public Question Time at the City of Launceston's ordinary Council Meetings. This policy does not apply to members of the public who attend ordinary Council Meetings to make a statement in relation to a listed item on the Agenda.

PRINCIPLES:



Our people matter



We care about our community



We bring an open mind



We go home safe and well

RELATED POLICIES and PROCEDURES: 05-Plx-008 Customer Service Charter

RELATED LEGISLATION:

Local Government Act 1993 (Tas)

Local Government (Meeting Procedures) Regulations 2015

REFERENCES:

Council Meeting Procedures - Information Sheet November 2018, Department of Premier and Cabinet, Office of Local Government, accessed 29 March 2022 at Department of Premier and Cabinet (dpac.tas.gov.au)

DEFINITIONS:

Member of the public - residents and ratepayers from the Launceston Municipal Area.

REVIEW

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

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

15.6 Cityprom Reform - Central Launceston Marketing Inc. - Operational Agreement

FILE NO: SF0016/SF7346

AUTHOR: Jarred Ranson (Team Leader Strategy, Economic Development and Analytics)

GENERAL MANAGER APPROVAL: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider implementation of reform of Cityprom consistent with the Council decision of 17 June 2021.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 10 September 2020 - Cityprom Review

Council - 1 October 2020 - Agenda Item 21.2 - Cityprom Review

Workshop - 3 December 2020 - Cityprom Presentation

Workshop - 8 March 2021 - Cityprom Review

Workshop - 1 April 2021 - Cityprom Review

Council - 17 June 2021 - Agenda Item 20.4 - Cityprom Review

Workshop - 9 December 2021 - Cityprom Futures Project

Workshop - 28 April 2022 - Cityprom Futures Project

RECOMMENDATION:

That Council:

- 1. engages Central Launceston Marketing Inc. for the provision of services on the following basis:
 - a. the services to be provided by Central Launceston Marketing Inc. are detailed in a Draft Operational Agreement (Attachment 1);
 - b. the roles and responsibility of Central Launceston Marketing Inc. are detailed in a Draft Operational Agreement (Attachment 2);
 - c. the engagement is to commence on or about 1 July 2022 for a period of three years:
 - d. a Memorandum of Understanding will be developed to formalise mechanisms for collaboration between the City of Launceston and Central Launceston Marketing Inc; and
 - e. payment of \$563,862 exclusive of GST per annum to Central Launceston Marketing Inc. for the provision of services.
- requests and authorises the Chief Executive Officer to determine the precise terms and conditions of the engagement of Central Launceston Marketing Inc. to be detailed in an Operational Agreement between the City of Launceston and Central Launceston Marketing Inc.

3. authorises the Chief Executive Officer to sign the Operational Agreement between the City of Launceston and Central Launceston Marketing Inc.

Amanda McEvoy (on behalf of Central Launceston Marketing Inc.) spoke for the Recommendation

The Mayor, Councillor A M van Zetten, handed the Chair to the Deputy Mayor, Councillor D C Gibson, at 2.11pm
The Mayor, Councillor A M van Zetten, resumed the Chair at 2.14pm

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Deputy Mayor Councillor D C Gibson.

That Council:

- 1. engages Central Launceston Marketing Inc. for the provision of services on the following basis:
 - a. the services to be provided by Central Launceston Marketing Inc. are detailed in a Draft Operational Agreement (Attachment 1);
 - b. the roles and responsibility of Central Launceston Marketing Inc. are detailed in a Draft Operational Agreement (Attachment 2);
 - c. the engagement is to commence on or about 1 July 2022 for a period of three years;
 - d. a Memorandum of Understanding will be developed to formalise mechanisms for collaboration between the City of Launceston and Central Launceston Marketing Inc; and
 - e. payment of \$563,862 exclusive of GST per annum to Central Launceston Marketing Inc. for the provision of services.
- 2. requests and authorises the Chief Executive Officer to determine the precise terms and conditions of the engagement of Central Launceston Marketing Inc. to be detailed in an Operational Agreement between the City of Launceston and Central Launceston Marketing Inc.
- 3. authorises the Chief Executive Officer to sign the Operational Agreement between the City of Launceston and Central Launceston Marketing Inc.

CARRIED 8:1

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Councillor P S Spencer

16. CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

16.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures)*Regulations 2015 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.

16.2 Councillor's Leave of Absence

Regulation 15(2) of the *Local Government (Meeting Procedures)*Regulations 2015 states that a part of a meeting may be closed to the public to discuss:

(h) applications by councillors for a leave of absence.

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor J G Cox.

That Council moves into Closed Session.

CARRIED BY ABSOLUTE MAJORITY 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

Council moved into Closed Session at 2.16pm Council returned to Open Session at 2.17pm

16.3 End of Closed Session

RECOMMENDATION:

That, pursuant to Regulation 34(1)(b) of the *Local Government* (Meeting Procedures) Regulations 2015, resolves to report in Open Session that it has considered the following matters in Closed Session.

Agenda Item	Matter	Brief Description
16.1	Closed Council Minutes - 2 June 2022.	Confirmation of the Minutes of the Closed Meeting of the City of Launceston Council held on 2 June 2022.
16.2	Councillor's Leave of Absence	Councillors endorsed a personal leave of absence.

DECISION: 16 June 2022

MOTION

Moved Councillor A G Harris, seconded Councillor K M Preece.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 9:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J G Cox, Councillor K P Stojansek, Councillor A E Dawkins, Councillor P S Spencer, Councillor A G Harris, Councillor T G Walker and Councillor K M Preece AGAINST VOTE: Nil

17. MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 2.18pm.

18. NEXT COUNCIL MEETING DATE

The next Ordinary Meeting of Council will be held at 1.00pm on 30 June 2022 at the Council Chambers, Town Hall, 18-28 St John Street, Launceston.