

RETURNED & SERVICES LEAGUE OF AUSTRALIA
VICTORIAN BRANCH INC.
ABN 73 941 765 364 REG NO A0028777L
PATRON: HER MAJESTY THE QUEEN
STATE PRESIDENT: DR ROBERT WEBSTER OAM



28 November 2019

Ministerial Panel for the Victorian Local
Government Rating System Review
C/- Department of Environment, Land, Water and Planning
Level 35, 2 Lonsdale Street
MELBOURNE VIC 3000

via email e.rating.review@dwelp.vic.gov.au

Dear Panel Members,

Re: Victorian Local Government Rating System Review

On behalf of the Returned & Services League of Australia (Victorian Branch) Inc., I would like to make the following comments in relation to the recent submission made to the review panel from the Municipal Association of Victoria (MAV).

Notwithstanding that the time has passed for consultation and the public hearings have now been completed, I believe that it is important that we make comment on the specific references in the MAV submission that would have dire implications for the RSL and its associated Sub-Branches.

Within the MAV submission it refers to rating exemptions that are no longer justified and makes specific reference to RSL's. In relation to the reference to RSL's, they state "Many RSL gaming venues and gaming venues on Crown land compete with local businesses e.g. hotels, cafes and restaurants but these gaming venues are exempt from rates. It is difficult, if not impossible to argue how gambling and the social cost inflicted by this activity to the most vulnerable members of the community justifies this rate exemption. Gaming venues operated by the RSL or other Service clubs, or gaming venues on Crown land should not be exempt from LGA rates".

Given that the review does not simply limit reference to RSL Clubs on Crown land, but in fact relates to **all** RSL's that are gaming venues, I think it is vital and important that I draw your attention to the following matter;

The Returned and Services League of Australia (Victorian Branch) Inc and Traralgon RSL Sub-Branch Inc V Latrobe Shire Council (2001) VSCA 122 decided in the Supreme Court of Victoria Court of Appeal on 10 August 2001.

This case stated that the RSL and all RSL Sub-Branches (including those that conduct gaming) are exempt from paying municipal rates in accordance with section 154 of the Local Government Act 1989. The Court emphasised that the rates exemption was given to the RSL by Parliament on the basis of the RSL's Objects and the use of its funds to provide welfare services.

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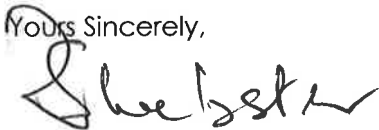
Further, the Court considered that without the rates exemption, the welfare work of the RSL might be seriously affected and, in fact, its very survival may be at risk. Therefore, the rates exemption continues to be necessary in order for the RSL to continue to uphold its Objects, which at their very core are to provide services to those who have served in the Australian Defence Forces who may not otherwise have access to those services.

All Victorian RSL Sub-Branched irrespective of their operational status continue to provide the core work of the League in the delivery of ongoing welfare support of our veterans and their families.

Any amendment to the current LGA rate exemptions that exist for all RSL Sub-Branched would have dire consequences on their ability to continue to deliver those core welfare objects of the League in Victoria.

The Victorian RSL State Branch would be happy to provide any further additional information or advice to the review panel should they have any further inquiries.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'R Webster', written over a circular stamp.

Robert Webster OAM
State President

c.c. Interim Chief Executive Officer, Brian Cairns
Chief Financial Officer, David Ridley
Acting Chief Operating Officer, Clint Brewster