



CITY OF HOBART

AGENDA

Finance and Governance Committee Meeting

Open Portion

Tuesday, 15 October 2019

at 4:30 pm

Lady Osborne Room, Town Hall

THE MISSION

Working together to make Hobart a better place for the community.

THE VALUES

The Council is:

People	We value people – our community, our customers and colleagues.
Teamwork	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
Focus and Direction	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
Creativity and Innovation	We embrace new approaches and continuously improve to achieve better outcomes for our community.
Accountability	We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

APOLOGIES AND LEAVE OF ABSENCE

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Finance and Governance Committee Meeting (Open Portion) held Tuesday, 15 October 2019 at 4:30 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Zucco (Chairman)
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

Apologies:

Leave of Absence:

NON-MEMBERS

Lord Mayor Reynolds
Briscoe
Denison
Harvey
Behrakis
Ewin
Sherlock

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

2. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Tuesday, 17 September 2019](#), are submitted for confirming as an accurate record.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

6. REPORTS

6.1 Southern Tasmania Netball Association - Request to Amend (Increase) Loan Guarantee File Ref: F18/107405; 18/17

Report of the Group Manager Rates & Procurement and the Deputy General Manager of 10 October 2019 and attachments.

Delegation: Council

**REPORT TITLE: SOUTHERN TASMANIA NETBALL ASSOCIATION -
REQUEST TO AMEND (INCREASE) LOAN
GUARANTEE**

REPORT PROVIDED BY: Group Manager Rates & Procurement
Deputy General Manager

1. Report Purpose and Community Benefit

- 1.1. The purpose of this report is to seek Council's approval of an increase in the loan guarantee provided to the Southern Tasmanian Netball Association (STNA). STNAs request is attached - refer **Attachment A and B**.

2. Report Summary

- 2.1. STNA propose to undertake a solar installation at the Creek Road Netball Centre for circa \$235,000, funded by debt.
- 2.2. Council has a loan guarantee currently in place. Their loan balance is currently around \$270,000. They wish to borrow a further \$235,000 and refinance the total borrowing of \$505,000 over 14 years.
- 2.3. STNAs current facility has been satisfactorily conducted for many years. Despite the increased loan, repayments will fall due to lower interest rates, and the term being extended out to 14 years (the current loan has approximately 4 years remaining).
- 2.4. The STNA financial statements for the year ended 31 December 2018 are attached as **Attachment C**. A review has found that STNA appear to be in a satisfactory position to service the proposed increased loan.
- 2.5. Council first approved a guarantee of loans policy in 2016 – **Attachment D**. It is considered this request meets all of the criteria of that policy, except one. The policy requires any loan must not have a redraw facility. STNAs current facility has a redraw facility and they would prefer to maintain that ability. On balance, this is considered reasonable.
- 2.6. As is standard practice, approval of the guarantee will require STNA to provide Council with relevant information throughout the loan term, at its discretion, to enable Council to satisfy itself that the loan is being conducted according to arrangements, and STNAs ongoing ability to service the loan. Such information could include access to minutes, year to date financial information, budgets, forecasts, annual reports and financial statements, and loan statements.

3. Recommendation

That:

- 1. The Report 'Southern Tasmanian Netball Association – Request to Amend (Increase) Loan Guarantee' be received and noted.**
- 2. Council guarantee a loan to Southern Tasmanian Netball Association from Westpac Banking Corporation for \$505,000.**
- 3. The General Manager be delegated authority to negotiate and finalise the terms of the loan guarantee.**
- 4. Council receive quarterly loan updates from STNA and/or Westpac Banking Corporation, and other financial information such as financial statements, and year to date performance information, at Council's discretion.**
- 5. STNA immediately notify Council in the event of any default in loan payments.**
- 6. STNA notify Council of any legal actions that they enter or are joined to, and any intention to take out further borrowings.**
- 7. Any future changes to loan arrangements be subject to Council approval.**

4. Delegation

4.1. Council delegation.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.







Lara MacDonell
**GROUP MANAGER RATES &
PROCUREMENT**



Heather Salisbury
DEPUTY GENERAL MANAGER

Date: 10 October 2019
File Reference: F18/107405; 18/17

Attachment A: STNA Request for Increase in Loan Guarantee ↓ 
Attachment B: PowerCom Installation Specification and Forecast ↓ 
Attachment C: STNA Financial Report year ended 31 December 2018 ↓ 
Attachment D: Council Policy - Guarantee of Loans ↓ 
Attachment E: Background Information - Southern Tasmania Netball Association - Request to Amend (Increase) Loan Guarantee (Supporting information)



Address: PO Box 310 Moonah • Tel: 0362280760 • Email: info@stna.asn.au

23 July 2019

Shannon Avery
Program Leader Recreation & Projects
City of Hobart
16 Elizabeth Street
Hobart TAS 7000

Dear Shannon

Southern Tasmanian Netball Association would like to formally request a new debt guarantee from the Hobart City Council for the STNA debt financing of a solar installation at the Creek Road Netball Centre.

Council is currently the Guarantor of our Association's existing loan. We would like to carry out a solar installation at the Council owned land that we occupy on a peppercorn lease expiring 1 May 2026. To fund this capital improvement, we would like to increase our loan by \$235,000. The current loan balance is \$270,000 and we are eleven years into the 15 year term of this loan. The new loan would have a starting balance of \$505,000 and the loan term would be reset to 14 years when the loan is drawn.

The STNA Board passed a motion on 3 October 2017 to seek financing to carry out a solar installation and has now passed a motion on 3 September 2018 to carry out the solar installation as designed and quoted by Power Com and to seek financing for the cost of the project plus 10% for cost overrun.

STNA has demonstrated its ability to be financially responsible and the systems we use to achieve this are annual budget review meetings and monthly financial reporting to the Board and stakeholders. STNA has an unblemished record of servicing our loan commitments going back to our first borrowings in 2001.

Our historical audit summary shows our organisation has maintained stable activity levels and all of our participation activities reflect these same trend lines. There are threats in our environment that could have negative impacts on our participation and, by default, our gross revenues. The most significant of these threats is the rise in female football. We have an ability to maintain financial solvency against a possible reduction in participation through the reduction in variable expenditures such as registrations, umpire pays, wages, cleaning, venue maintenance, electricity and development costs. These variable expenses in 2017 were \$440,000 of our total expenditure of \$611,000. We would detect any reduction in participation each year in February when Winter Roster team entries are final and this knowledge together with our monthly reporting means decisions can be made and implemented quickly to apply reduced spending in our variable expenses.

Address to the Council Guarantee of Loan policy.

1. STNA is the premier provider of Netball to the greater Hobart community and believe we meet the requirement of providing essential services based on our high patronage at the Creek Road facility. The core patronage group is approximately 5000 people making just under 200,000 visits to the venue per year.
2. The entirety of the funds are to be used on the installation of solar at the Council owned Creek Road venue.
3. STNA is not for profit and our incorporation number is 01163C.
4. We have no outstanding debts with Council.
5. The useful life of the Solar installation is 25 years and that is greater than the loan term of 14 years.
6. The term of our loan at 14 years is within the lease period which expires in 2034.
7. Our current loan includes a redraw facility and our preference would be for the new loan to also have that feature. The seasonal nature of our cash flow allows us to pay surplus cash flow into our loan account to significantly reduce the interest the loan accrues. This is not an essential feature as we could pay surplus cash flow into term deposit but the interest accrued in a savings account is much less than the interest saved by placing that surplus into the loan account.
8. The loan detailed in this request is P&I the same as our previous and existing loans.
9. No work has commenced in regard to this solar installation.

Solar Energy Project

- Project cost \$213,000 excluding GST (net of RECs)
- Debt financing required \$235,000 (20k for cost overrun)

The Problem

The Hobart Netball & Sports Centre has a high electricity consumption and that makes us a contestable customer whereby we are required to negotiate contracts for our electricity supply. Instability in the electricity market has made us vulnerable to cost fluctuations as we discovered when our contract price per kWh in 2016 of 6c was increased to 18c for 2017. A 200% increase in the cost of electricity is potentially catastrophic to our organisation.

The Solution

- Installation of 100kW of roof top solar panels
- Installation of 120kWh of battery storage

STNA has taken advice from industry professionals to determine a mix of roof top solar and batteries that not only protects us from electricity price increases but also provides an immediate net gain in profitability and cash flow specifically due to the current high price of electricity delivered from the grid

The Hobart City Council Procurement Office (Peter Warmbrunn) has been involved in the solar specifications designed for this site. The HCC team has significant experience in solar installation and this expertise serves to mitigate risk that our organisation would otherwise be exposed to in managing such a large project.

The Business Case

Net Profit impact

- Our cost for electricity supply in 2017 was \$49,000
- The projections for electricity cost from the grid after solar are \$30,000
- Debt interest on \$235,00 is \$7,000 per year for 15 years
- Annual net profit increase is \$12,000

Cash Flow impact

- Current debt is \$270,000 and our monthly principal and interest \$5,745
- New debt is \$505,000 and our monthly principal and interest will be \$4,200
- Annual net cashflow increase \$18,540

Power Com is the Council Procurement Office's preferred vendor. Our venue is on a smart meter and Power Com have used our meter data together with the historical sunlight data to make forecasts of what our energy consumption mix will be with a solar installation. The solar has been designed to have minimal electricity being fed into the grid as feed in revenues don't make economic sense.

Please find attached the Power Com installation specification and forecast.

I would welcome the opportunity to discuss our project in more detail.

Yours Sincerely



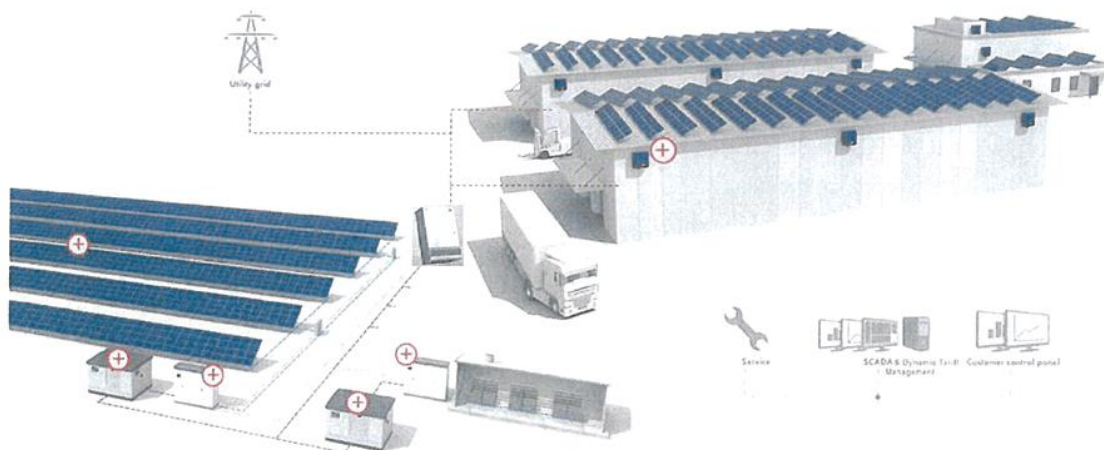
Phillip Stoneman
General Manager



Electricity Data Analysis Solar & Battery Hybrid System Study

Netball Courts

100 kW Solar & 120 kWh Battery Hybrid Analysis



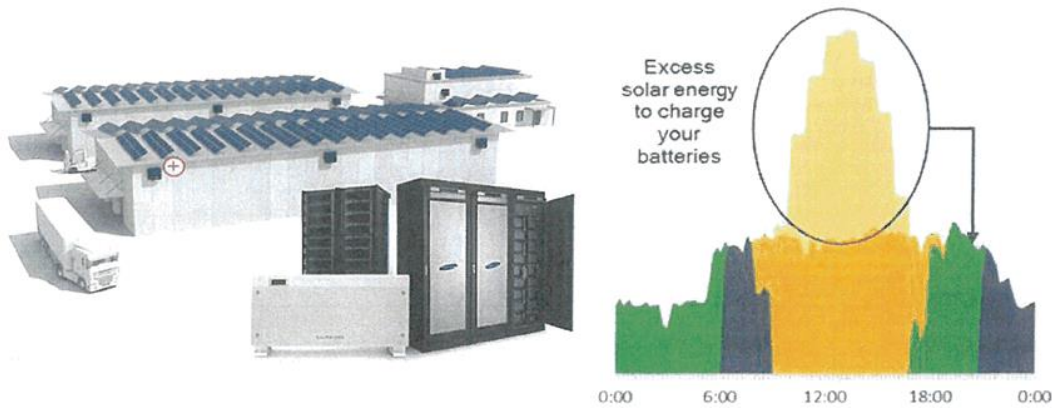
Date: 21/08/2018

Hybrid Systems Explained

Solar energy is one of the cheapest and most environmental friendly sources of energy. Energy from the Sun, perceived as light and heat, are converted into electrical energy through Solar Photovoltaic (PV) panels. This energy is then passed onto the Inverter to be filtered to satisfy your appliances' specific electrical requirements.

One limitation of traditional Solar Installations is the availability of energy. Solar Energy is only available during daylight hours. Currently there are two system design methodologies: to size a system so that all solar energy is used on site, or to size a system that could provide maximum offset from the current source of electricity (the grid). The bigger the system, the more savings it can generate, but at the cost of certain amounts of waste solar energy flowing back into the grid without compensation.

Batteries is the solution to this problem when a customer desires to save more energy. Batteries are storage systems - it is charged up by excess solar energy during day time, and discharge it during night time. When designed properly, a battery setup can either help with demand response, offset 100% of energy consumptions under normal conditions, or even allow the premises to be completely isolated from electricity grid connections.



Example picture of how a Hybrid Electrical System works

Your Expected Results & Net Benefits

Comparing the load profile of 100% grid to Solar + Battery Solution:

New Solar System Size	100 kW	
Battery/Backup Capacity:	120 kWh	
	CURRENT	PROPOSED
	<small>(100% Grid)</small>	<small>(Solar/Battery/Grid)</small>
Daily Net Energy Consumption:	466 kWh	466 kWh
Solar Provision:		34%
Battery Provision:		15%
Grid Provision:	100%	51%
Grid Reduction:		49%
Hours of Autonomy (Up to):	12	Hrs
First Year Savings:	\$20,423	
Annual kWh Saved:		82485 kWh
Average Value per kWh Saved:		\$0.25
Payback Period:		8.71 years
Internal Rate of Return:		11.24%
System Cost:	\$195,000	

Inclusions:

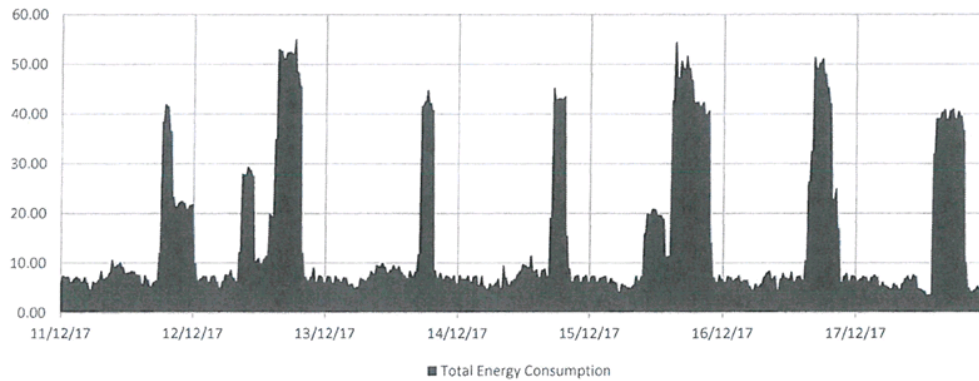
- 25 Years System Monitoring & Reporting
- 25 Year Solar Panel Warranty
- 10 Year Solar & Battery Inverter Warranty
- 10 Year Battery Warranty

Assumptions:

- 3% p.a. Energy price inflation
- 0.5% p.a. Solar degradation
- 3% p.a. Battery degradation
- 25 Years System Lifetime

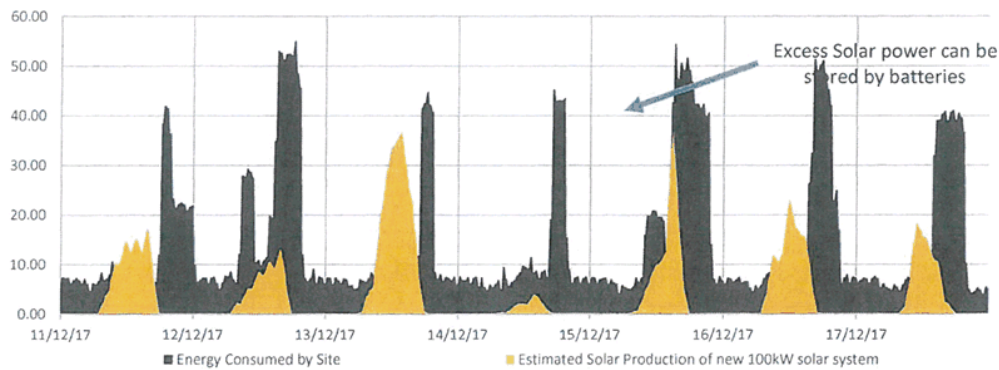
Your Consumption Profile & Solar System Design

A **Load Profile** is how you utilise electricity on a day by day basis. Below is your load profile for a typical week.



Days recorded: 365 Days
Daily consumption: 466 kWh
Peak demand: 123 kW

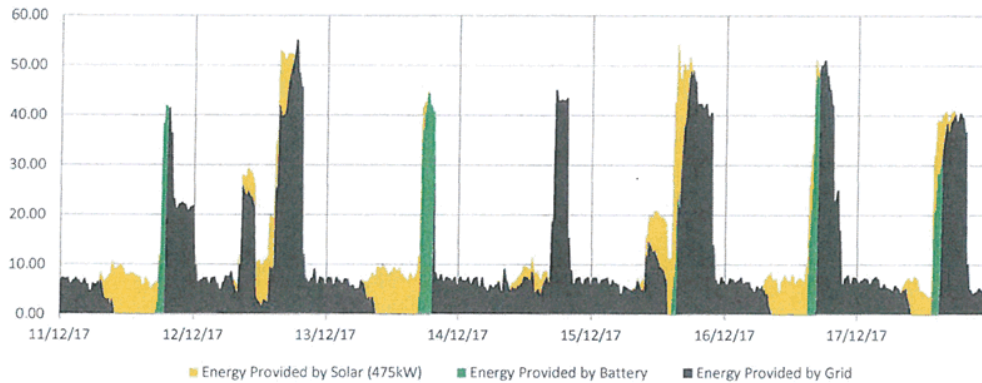
We overlay your load profile with the **Solar Profile** of your location at system design specifics: orientation, tilt, & mounting options. This provides us an idea of what potential solar resources are available, and what your optimal solar installation needs to be.



Total System Size:	100 kWp	Available Solar AC Energy:	3.02 kWh/kWp
Optimal Orientation:	Flat on roof	Average Daily Output (100kW):	302 kWh per Day
		Potential Solar to Load:	65%
		Available Solar to Load:	34%

Your Energy Storage & Battery System Design

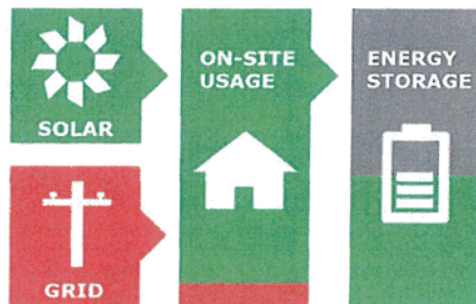
From our understanding of your consumption volume, load profile, as well as the specific solar potential from your particular design, we put forth a battery system that would minimise your reliance on the electrical grid & unutilised solar energy.



Suggested Battery Size:	120 kWh	Daily Consumption:	466 kWh
Battery Technology:	BYD	Solar Provision:	158 kWh 34%
Minimum SOC:	20%	Battery Provision:	68 kWh 15%
		Grid Provision:	240 kWh 51%

This result is achieved by two different modes of operation from the system.

Daytime:



Solar power is supporting all of your electrical needs. Excess solar then flows onto the batteries to allow for full charge.

Nighttime



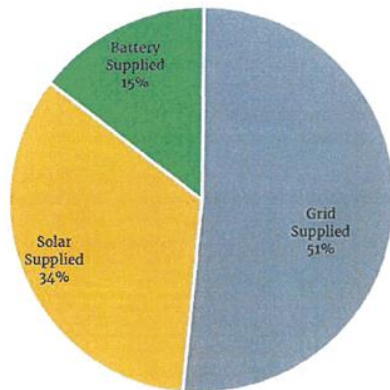
Solar power is switched off. Battery bank starts to discharge power back to your premises and provide PF support continuously.

Your Energy Profile & Breakdown

A detailed daily breakdown on your new energy flow is as below:

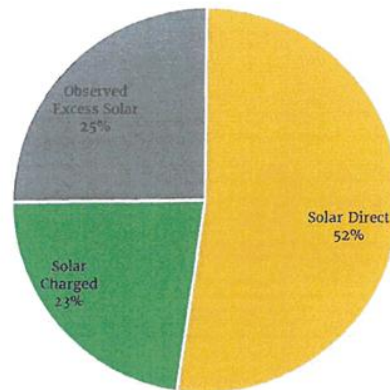
Month	Energy Required by Site	Available Solar Energy	Grid Energy Day-time Reduction	Solar Energy Stored by Batteries	Grid Energy Night-time Reduction	Energy Supplied by Grid
1	4788	3366	1637	1655	1753	1399
2	8299	5134	2497	2047	2047	3755
3	14482	9757	4973	2476	2476	7034
Average	9190	6086	3036	2059	2092	4062

Net Energy Matrix



This chart describes the mix of energy sources on site. This is broken down into energy supplied by the, grid, solar system and battery system.

Net Solar Matrix



This chart describes the utilisation ratio of your available solar resources across the time period being evaluated. Ideally, solar exported will be minimal as it represents the lowest value of all and thus will be curtailed to ensure zero export to the grid.

Southern Tasmania Netball Association Inc

Financial Report

For the Year Ended 31 December 2018

Southern Tasmania Netball Association Inc

For the Year Ended 31 December 2018

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Southern Tasmania Netball Association Inc

Board Report

31 December 2018

Your Board members submit the financial report of the Association for the financial year ended 31 December 2018.

1. General information

Principal Activities

The principal activities of Association during the financial year were to encourage, promote, control and manage all matters pertaining to the game of netball within Southern Tasmania.

Significant Changes

No significant change in the nature of these activities occurred during the year.

2. Operating Results and Review of Operations for the Year

Operating result

The surplus/(deficit) of the Association for the financial year amounted to \$ (38,944) (2017: \$ 66,597).

Signed in accordance with a resolution of the Members of the Board:

President: 

Treasurer: 

Dated this 13th day of February 2019.

Southern Tasmania Netball Association Inc

Statement by Members of the Board

The Board has determined that the Association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the Board the financial statements:

1. Present a true and fair view of the financial position of Southern Tasmania Netball Association Inc as at 31 December 2018 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Southern Tasmania Netball Association Inc will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Board and is signed for and on behalf of the Board by:

President 

Treasurer 

Dated this 13th day of February 2019.

Southern Tasmania Netball Association Inc

Statement of Comprehensive Income

For the Year Ended 31 December 2018

	2018	2017
	\$	\$
Income		
Advertising	3,150	2,182
Centre rentals	20,700	24,862
Clinics & courses	5,093	9,641
Court fees	295,607	296,290
Gate takings	157,795	169,083
Grant income	5,500	62,000
Membership subscriptions	157,014	153,565
Sponsorship	18,864	17,131
Sundry receipts	6,348	7,612
Uniform sales	3,136	2,312
Total income	<u>673,207</u>	<u>744,678</u>
Less: Expenses		
Accounting fees	3,270	3,216
Administration	8,396	7,593
Cleaning and rubbish removal	30,327	27,858
Clinics & courses costs	2,476	5,850
Competition expenses	7,296	9,814
Computer & equipment expenses	3,202	2,258
Depreciation	2,597	3,347
Development expense	18,365	23,177
Electricity	32,282	41,621
Insurance	14,611	14,166
Interest	15,929	17,831
Printing and stationery	11,783	13,488
Provision for employee's entitlements	(1,090)	5,696
Registration fees	70,000	70,000
Repairs and maintenance	168,910	129,813
Security	5,787	7,111
Sundry expenses	27,469	18,516
Telephone and internet	3,424	5,260
Trophies & medals	12,210	10,547
Umpires	52,258	62,719
Uniforms	1,561	3,064
Wages including superannuation	221,088	195,136
Total expenses	<u>712,151</u>	<u>678,081</u>
Net surplus/(deficit) for the year	<u>(38,944)</u>	<u>66,597</u>
Other comprehensive income	-	-
Total comprehensive income	<u>(38,944)</u>	<u>66,597</u>

The accompanying notes form part of these financial statements.

Southern Tasmania Netball Association Inc

Statement of Financial Position

As At 31 December 2018

	Note	2018 \$	2017 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	2,5(a)	11,420	135,915
Trade and other receivables		6,871	6,900
Bartercard		-	67
Prepayments		6,483	6,439
TOTAL CURRENT ASSETS		<u>24,774</u>	<u>149,321</u>
NON-CURRENT ASSETS			
Property, plant and equipment	3	3,445,743	3,448,340
TOTAL NON-CURRENT ASSETS		<u>3,445,743</u>	<u>3,448,340</u>
TOTAL ASSETS		<u>3,470,517</u>	<u>3,597,661</u>
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	4	27,448	7,750
Borrowings	5	74,660	68,940
Employee benefits	6	40,254	42,099
TOTAL CURRENT LIABILITIES		<u>142,362</u>	<u>118,789</u>
NON-CURRENT LIABILITIES			
Borrowings	5	168,604	281,132
Employee benefits	6	1,275	520
TOTAL NON-CURRENT LIABILITIES		<u>169,879</u>	<u>281,652</u>
TOTAL LIABILITIES		<u>312,241</u>	<u>400,441</u>
NET ASSETS		<u>3,158,276</u>	<u>3,197,220</u>
EQUITY			
Accumulated surpluses		3,158,276	3,197,220
TOTAL EQUITY		<u>3,158,276</u>	<u>3,197,220</u>

The accompanying notes form part of these financial statements.

Southern Tasmania Netball Association Inc

Statement of Changes in Equity

For the Year Ended 31 December 2018

2018

	Accumulated Surpluses	Total
	\$	\$
Balance at 1 January 2018	3,197,220	3,197,220
Net surplus/(deficit) for the year	(38,944)	(38,944)
Balance at 31 December 2018	3,158,276	3,158,276

2017

	Accumulated Surpluses	Total
	\$	\$
Balance at 1 January 2017	3,130,623	3,130,623
Net surplus/(deficit) for the year	66,597	66,597
Balance at 31 December 2017	3,197,220	3,197,220

The accompanying notes form part of these financial statements.

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

1 Summary of Significant Accounting Policies

The financial statements cover Southern Tasmanian Netball Association Inc as an individual entity. Southern Tasmania Netball Association Inc is a not-for-profit Association incorporated in Tasmania under the reporting requirements of the *Associations Incorporation Act (Tas) 1964*.

(a) Basis of Preparation

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the *Associations Incorporation Act (Tas) 1964*. The Board has determined that the Association is not a reporting entity. The Association is a not-for-profit entity for financial reporting purposes.

The financial statements have been prepared on an accruals basis, are based on historic costs and do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report. The amounts presented have been rounded to the nearest dollar.

(b) Comparative Figures

Where appropriate comparative figures have been adjusted to conform to changes in presentation for the current financial year.

(c) Critical Accounting Estimates and Judgements

The Board evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within Association, however as additional information is known then the actual results may differ from make estimates.

Buildings and Improvements

The Board are of the view that depreciation is not required on buildings and improvements because of the regular maintenance of the building and the history of renewal of the lease resulting in the service potential being maintained, not consumed. The Board do not consider that there are any indicators of impairment and has not performed a formal assessment of recoverable amount of the buildings and improvements.

(d) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments, and bank overdrafts.

(e) Trade and Other Receivables

The Association considers accounts receivable to be fully collectible, accordingly no allowance for doubtful debts is required.

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

1 Summary of Significant Accounting Policies continued

(f) Property, Plant and Equipment

Property, plant and equipment are carried at cost. All assets, excluding freehold land and buildings, are depreciated over their useful lives to the Association.

Buildings & Improvements

The Southern Tasmanian Netball Association currently holds a 10 year lease on the Creek Road Netball Centre which is owned by the Hobart City Council. The lease was renegotiated in December 2015. The buildings constructed at the Association's cost on the aforementioned land have been capitalised as assets within these financial statements, but not depreciated (refer to note 1 (c)).

Depreciation

The depreciable amount of all fixed assets, excluding buildings and capitalised leased assets, is depreciated on a diminishing value basis over the asset's useful life commencing from the time the asset is held ready for use.

The depreciation rates used for each class of depreciable assets are:

Class of Fixed Asset

Plant and Equipment	2.5 - 40%
Building and Improvements	0%

(g) Trade and Other Payables

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the Association during the reporting period which remain unpaid.

(h) Employee Benefits

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

Contribution made by the Association to an employee superannuation fund are charged as expenses when incurred.

(i) Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured at the present value of management's best estimate of the outflow required to settle the obligation at the end of the reporting period.

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

1 Summary of Significant Accounting Policies continued

(j) Income Tax

No provision for income tax has been raised as the Association self-assesses as being exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

(k) Revenue and Other Income

Interest revenue is recognised over the period for which the funds are invested.

Membership income is recognised over the period to which the memberships relate.

Rental income is recognised in the period to which the rent relates.

Revenue from the provision of services is recognised upon delivery of the service to customers.

All revenue is stated net of the amount of goods and services tax (GST).

(l) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

(m) Government Grants

Government grants are recognised at fair value where there is reasonable assurance that the grant will be received and all grant conditions will be met. Grants relating to expense items are recognised as income over the periods necessary to match the grant to the costs they are compensating. Grants relating to assets are credited to deferred income and are credited to income over the expected useful life of the asset on a straight-line basis.

(n) Economic dependence

The ongoing viability of the Association is dependent upon the continued support of the Hobart City Council. At the date of this report the Board have no reason to believe the Hobart City Council will not continue to support the Association.

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

2 Cash and Cash Equivalents

	2018	2017
	\$	\$
Cash on hand	173	173
Cash at bank	11,247	135,742
	<u>11,420</u>	<u>135,915</u>

3 Property, Plant and Equipment

	2018	2017
	\$	\$
Buildings and Improvements at cost		
Stadium 1	644,475	644,475
Stadium 2	1,758,877	1,758,877
Clubhouse	768,461	768,461
Ground improvements car park	8,223	8,223
Centre developments	246,964	246,964
Total Building and Improvements	<u>3,427,000</u>	<u>3,427,000</u>
Plant and equipment		
At cost	232,846	232,846
Accumulated depreciation	(214,103)	(211,506)
Total plant and equipment	<u>18,743</u>	<u>21,340</u>
Total property, plant and equipment	<u>3,445,743</u>	<u>3,448,340</u>

4 Trade and Other Payables

	2018	2017
	\$	\$
Trade payables	20,764	2,442
Payroll liabilities/(receivable)	5,135	(3,584)
PAYG payable	13,647	12,419
Undeposited funds	-	3,374
GST payable/(receivable)	(12,098)	(6,901)
	<u>27,448</u>	<u>7,750</u>

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

5 Borrowings

	2018	2017
	\$	\$
CURRENT Borrowings	74,660	68,940
NON CURRENT Borrowings	168,604	281,132
	<u>243,264</u>	<u>350,072</u>

(a) Redraw funds

The amount of redraw funds available to the Association to management cashflow requirements as at 31 December 2018 were \$83,163 (2017: \$543).

The bank loans held with the Westpac bank are guaranteed by the Hobart City Council.

6 Employee Benefits

	2018	2017
	\$	\$
CURRENT Annual leave	12,849	15,916
Long service leave	27,405	26,183
	<u>40,254</u>	<u>42,099</u>
NON-CURRENT Long service leave	1,275	520
	<u>1,275</u>	<u>520</u>

7 Capital and Leasing Commitments

	2018	2017
	\$	\$
Payable - minimum lease payments:		
- not later than 12 months	3,950	3,900
- between 12 months and 5 years	9,250	-
	<u>13,200</u>	<u>3,900</u>

There are no other capital or leasing commitments as at reporting date to be disclosed.

Southern Tasmania Netball Association Inc

Notes to the Financial Statements

For the Year Ended 31 December 2018

8 Contingent Liabilities and Contingent Assets

There are no contingent liabilities or contingent assets as at reporting date to be disclosed.

9 Events After the End of the Reporting Period

There are no events after the statement of financial position date affecting this financial report to be disclosed.

10 Association Details

The office of the Association is located at:
Hobart Netball & Sports Centre
Main Road
NEW TOWN TAS 7008



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Southern Tasmania Netball Association Inc

Auditors Independence Declaration

I declare that, to the best of my knowledge and belief, during the year ended 31 December 2018 there have been:

- (i) no contraventions of the auditor independence requirements as set out in the Accounting Professional Ethical Pronouncements in relation to the audit; and
- (ii) no contraventions of any applicable code of professional conduct in relation to the audit.

Crowe Horwath Tasmania

Alison Flakemore
Senior Partner

Dated this 8th day of February 2019.
Hobart, Tasmania.



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Southern Tasmania Netball Association Inc

Independent Audit Report to the members of Southern Tasmania Netball Association Inc

Qualified Opinion

We have audited the accompanying financial report being a special purpose financial report of Southern Tasmania Netball Association Inc (the Association), which comprises the statement of financial position as at 31 December 2018, the statement of comprehensive income for the year then ended and statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the statement by the members of the Board.

In our opinion, except for the effects of such adjustments, if any, as might have been necessary has the limitation discussed in the qualification paragraph not existed, the financial report presents fairly, in all material respects, the financial position of the Association as at 31 December 2018, and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

Basis for Qualified Opinion

As is common for organisations of this type, it is not practical for the Association to maintain an effective system of internal control over Court Fees and Gate Takings until their entry into the accounting records. Accordingly, our audit in relation to Court Fees and Gate Takings was limited to the amount recorded.

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Buildings and Improvements Not Depreciated

Without modifying our opinion, we draw attention to Notes 1 (c) and 1 (f), which indicates that the Association does not depreciate buildings and improvements and the Board has not performed a formal assessment of the recoverable amount of the buildings and improvements. Our opinion is not modified in respect of this matter.

Emphasis of Matter – Basis of Accounting and Restriction on Distribution

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Southern Tasmania Netball Association Inc to meet the requirements of the *Associations Incorporation Act (Tas) 1964*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.



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Southern Tasmania Netball Association Inc

Independent Audit Report to the members of Southern Tasmania Netball Association Inc

Other Information

The Board are responsible for the other information. The other information comprises the Board Report the year ended 31 December 2018, but does not include the financial report and our auditor's report thereon.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Board for the Financial Report

The Board is responsible for the preparation and fair presentation of the financial report and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the needs of the members in accordance with the financial reporting requirements of the applicable legislation and for such internal control as the Board determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Board is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the Board either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Association's financial reporting process.



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Southern Tasmania Netball Association Inc

Independent Audit Report to the members of Southern Tasmania Netball Association Inc

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board.
- Conclude on the appropriateness of the Boards' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.



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Southern Tasmania Netball Association Inc

Independent Audit Report to the members of Southern Tasmania Netball Association Inc

- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during the audit.


Crowe Horwath Tasmania


Alison Flakemore
Senior Partner



Dated this 14th day of February 2019.

Hobart, Tasmania.

Southern Tasmania Netball Association Inc

Office Bearers For the year ended December 31, 2018

President	Glynis Devereux	53 Honeywood Drive HONEYWOOD TAS 7017
Vice President	Robin Bird	530 Main Road GRANTON TAS 7011
Secretary	Suzanne Denison	1/35 Clift Street MT STUART TAS 7000
Treasurer	Jason Morman	6 Swallow Parade GLENORCHY TAS 7010
Board Members	Sharyn White	81 Augusta Road LENAH VALLEY TAS 7008
	Dean Jackson	39 Hiern Road BLACKMANS BAY TAS 7052
	Sonia Shelverton	11 Rannah Street ELECTRONA TAS 7054
General Manager	Phillip Stoneman	4 Bonnett Place MORNINGTON TAS 7018

Southern Tasmania Netball Association Inc	Crowe Horwath Tasmania
 Glynis Devereux President Dated this 13 th day of February 2019.	 Alison Flakemore Audit Partner Dated this 14 th day of February 2019.

City of Hobart

Policy

Title: Guarantee of Loans

Category: Corporate Governance

Date Last Adopted: 23 September 2019

1. Objectives

This policy is to provide a framework for the approval of Loan Guarantees for community organisations that wish to substantially self-fund capital asset projects on Council owned/controlled land, whilst limiting the Council's exposure to potential loss.

The policy objectives are to achieve:

- A means of supporting local communities and sporting organisations to self-fund capital asset projects.
- A mechanism to fund community assets that are on land that is owned or controlled by Council that will vest in, or ultimately be controlled by the Council. These are assets which provide essential services or a clear benefit to the wider community, that also align to the Capital City Strategic Plan 2015-2025.
- A funding solution that enables the community organisation to manage the resultant loan agreement directly with the lending institution.
- Proposals for loan guarantees are required to satisfy the criteria identified in the policy statement as well as being the subject of a report to Council. Satisfaction of the criteria does not guarantee approval as all approvals are at the discretion of the Council.
- To establish the maximum amount of Council's exposure to loan guarantee commitments.

2. Background

The City of Hobart is committed to supporting community groups that provide facilities and services that benefit the Hobart community.

This policy provides general guidelines and principles against which requests for the Council to act as a Guarantor will be assessed.

3. Policy

Loan guarantees will only be considered when all of the following policy criteria have been met.

General

1. Where is it demonstrated that the project will provide essential services or a clear benefit to the wider community, and will align to the Capital City Strategic Plan 2015-2025.
2. Borrowings are only to be used for the construction and/or acquisition of capital assets on Council owned or controlled land that will be vested in and ultimately controlled by the Council.
3. The applicant is a "not for profit" organisation and has a legal status (incorporated or a company), and is the current lessee of the land.
4. The applicant has no outstanding debts to the Council.
5. The useful life of the asset exceeds the life of the loan guarantee.
6. The term of the loan shall not exceed the term of the existing lease agreement. The lease agreement refers to the agreement between the Council as landlord and the community organisation.
7. The loan must not include a redraw facility.
8. The loan must not be an interest only loan.
9. Guarantees will not be provided where works have already commenced, unless the Council resolves that extenuating circumstances exist.

Maximum Exposure

The Council's maximum exposure to loan guarantee commitments be limited to five percent (5%) of annual revenue, subject to Council's forecast net financial liabilities ratio for the term of the requested guarantee remaining between 0% and 50%.

Guarantee Term

The maximum period that the Council will guarantee a loan for is twenty-five (25) years.



Documentation

The applicant will be required to demonstrate in their application the requirements as set out in 'General' together with their ability to service the loan repayments. The Council reserves the right to request and receive any information that may be required in its consideration of the guarantee request.

Should the Council resolve to act as guarantor of the loan, the applicant will be required to:

1. Notify the Council of any legal action that they enter or are joined to, and any intention to take out further borrowings.
2. Support any necessary amendments to the loan guarantee documentation to the satisfaction of the Council. Council reserves the right to review and amend the loan guarantee documentation in order to minimise exposure to "generic" loan guarantee documents issued by lending institutions.
3. Provide the Council with bi-annual loan statements that demonstrate the status of loan repayments.
4. Immediately notify the Council in the event of any default in loan repayments.
5. Ensure the asset is appropriately insured with a certificate of currency provided annually to Council.
6. Provide the Council with minutes of the organisation's annual general meeting plus audited financial statements, and any other information the Council may reasonably require to assure itself of the status of the loan.
7. All costs in relation to the guarantee are to be paid by the applicant.

4. Legislation, Terminology and References

Not applicable.

Responsible Officer:	Director City Governance
Policy first adopted by the Council:	19 September 2016
History	
Amended by Council	23 September 2019
Next Review Date:	March 2020

**6.2 Charitable Rates Exemptions - Rates Remission Request from
Uniting Agewell
File Ref: F19/130524**

Report of the Group Manager Rates & Procurement and the Deputy
General Manager of 9 October 2019 and attachments.

Delegation: Council

**REPORT TITLE: CHARITABLE RATES EXEMPTIONS - RATES
REMISSION REQUEST FROM UNITING AGEWELL****REPORT PROVIDED BY:** Group Manager Rates & Procurement
Deputy General Manager**1. Report Purpose and Community Benefit**

- 1.1. This report seeks Council's consideration of a request from The Uniting Church in Australia Property Trust (Tas) (Uniting Agewell) for a remission of general rates paid on their properties at 3 Peel Street, Sandy Bay and 51 Cross Street, New Town for the period 1 July 2016 to 30 June 2019.

2. Report Summary

- 2.1. Council has received an application from Uniting Agewell, owner of 3 Peel Street, Sandy Bay and 51 Cross Street, New Town for a remission of general rates paid on both properties for the period 1 July 2016 to 30 June 2019 on the grounds that the land was exempt from the payment of general rates pursuant to section 87(1)(d) of the *Local Government Act 1993 (Tas)* (LG Act), in accordance with the Southern Cross Care Full Court decision of October 2018.
- 2.2. The Southern Cross Care decision was concerned with the rates exemption for independent living units in retirement villages, no other scenario was considered by the Supreme Court, and the decision is therefore not necessarily binding in relation to other types of properties.
- 2.3. The property at 3 Peel Street, "Queenborough Rise" is a 60 bed nursing home and 30 independent living units. The property at 51 Cross Street, New Town is 3 independent living units. The independent living unit scenarios at both properties is exactly the scenario considered by the Supreme Court.
- 2.4. The Supreme Court found that the general rate exemption applies to independent living units and therefore it does apply to the independent living units at 3 Peel Street and 51 Cross Street and did apply for the period 1 July 2016 to 30 June 2019.
- 2.5. Following the Supreme Court decision the General Rate was removed from both properties under the revised Council Policy – Rates Exemption Charitable Purposes. Therefore, both properties are currently 100% exempt from General Rates pursuant to section 87(1)(d) of the LG Act.
- 2.6. It should be noted that while a Local Government Association of Tasmania (LGAT) working group, which Council Officers are members of, are working on a review of the legislation (section 87(1)(d) of the LG Act) in relation to this matter, currently both properties are entitled to the General Rate exemption.

- 2.7. It is proposed that the remission is granted on the basis that the land was exempt from the payment of general rates for the period of the remission request.
- 2.8. Funding Source and Impact on Current Year Operating Result:
 - 2.8.1. The total value of the rates remission request across both properties is \$96,982.08.
 - 2.8.2. A remission of this quantum has not been budgeted for so it would result in a revenue short fall and place pressure on the current year's operating result.
- 2.9. In respect to risk considerations, Uniting Agewell is the only other owner that the City removed the general rates exemption from in 2016. The City therefore does not expect to receive any further requests of this nature.

3. Recommendation

That:

1. ***The Report 'Charitable Rates Exemptions – Rates Remission Request from Uniting Agewell' be received and noted.***
2. ***The Council approve a remission of general rates paid by Uniting Agewell for 3 Peel Street, Sandy Bay and 51 Cross Street, New Town for the period 1 July 2016 to 30 June 2019 pursuant to section 129 of the Local Government Act 1993 (Tas).***

4. Delegation

4.1. Pursuant to section 129(3) of the Local Government Act 1993,

A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.





Lara MacDonell
**GROUP MANAGER RATES &
PROCUREMENT**



Heather Salisbury
DEPUTY GENERAL MANAGER

Date: 9 October 2019
File Reference: F19/130524

Attachment A: Letter from Uniting Agewell - rates exemption application ↓ 
Attachment B: Council Policy - Rates Exemption Charitable Purposes ↓ 
Attachment C: Background Information (Supporting information)



Mr Nick Heath
General Manager
City of Hobart
GPO Box 503
Hobart Tas 7001

25 September 2019

Dear Mr Heath

Request for Refund of General Rates Paid

Property Number 56314697 Part of 3 Peel Street, Sandy Bay
Property Number 54935962 51 Cross Street, New Town

On 4 August 2016 we objected to the charging of the General Rates on the above properties on the basis that they were exempt under Section 87(1)(d) of the Local Government Act. In your letter dated 26 August 2016 you refused to amend the rates notice on the basis that Section 87(1)(d) did not legally apply.

Southern Cross Care (Tasmania) Incorporated subsequently commenced legal action against a number of councils, including the City of Hobart. Rather than commence our own legal action, Uniting AgeWell supported Southern Cross Care on the basis that any decision in their action would also apply to our properties.

As confirmed in the unanimous decision in *Southern Cross Care (Tasmania) Incorporated v Paul [2018] TASFC 9* handed down in the Supreme Court of Tasmania in October 2018, the basis for your decision was legally incorrect and the properties were in fact eligible for the exemption.

Accordingly, it would be appreciated if you could arrange for the refund of General Rates paid on these properties for the 2016-2017, 2017-2018 and 2018-2019 financial years.

Please do not hesitate to contact me on 03 6282 1148 or 0437 537 681 if you wish to discuss this matter.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Shane Johnson", is written over a light blue horizontal line.

Shane Johnson
Housing Manager

281 Cambridge Road
Mornington 7018
Email: sjohnson@unitingagewell.org

City of Hobart

Policy

Title: Rate Exemption – Charitable Purposes

Category: Rates and Charges

Date Last Adopted: 15 April 2019

1. Objectives

The purpose of this policy is to outline the Council's approach to assessing whether land falls within the Charitable Exemption.

The objective of this policy is to increase community awareness about the circumstances that give rise to an entitlement to the Charitable Exemption. While the entitlement to the Charitable Exemption will always depend on the specific factual circumstances in each case, the Council seeks to explain the exemption and the way that the Council will assess whether or not it will apply.

The entitlement to the Charitable Exemption is ultimately a matter of law and is not subject to the discretion of the Council. Nevertheless, the Council has the practical task of assessing whether or not the exemption will apply. This policy sets out how it intends to do so.

2. Background

This Policy is subject to Council's Rates and Charges Policy dated May 2018. All

land in the Hobart municipality is rateable other than land which is exempt from certain rates (such as a general rate) pursuant to Section 87 of *the Local Government Act 1993*, including Section 87(1)(d) which states:

land or part of land owned and occupied exclusively for charitable purposes.

For convenience, this exemption will be referred to in this policy as the "Charitable Exemption".

Scope

This policy is limited to the exemption from rates pursuant to Section 87(1)(d) of the *Local Government Act 1993*. The exemption will apply to the General Rate imposed by the Council.

The exemption does not apply to the obligation to pay service rates and charges which continues subject to the Council's existing policy on remission of service rates and charges and the *Fire Services Act 1979* which permits the exemption of the fire levy in certain circumstances.

3. Policy

That:

1. The only way to assess whether or not the exemption will apply in a particular situation is to examine the relevant facts. This policy may be used as a guide but it is not possible to set out blanket rules about the application of the exemption.
2. The Charitable Exemption will apply where both requirements are met, that is:
 - (i) the land is owned exclusively for charitable purposes; and
 - (ii) the land is occupied exclusively for charitable purposes.
3. Unless both requirements are met, the exemption will not apply. However, it is not essential that the same entity is the owner and the occupier, providing that both the owner and the occupier satisfy the requirement of owning/occupying the property for exclusively charitable purposes.
4. The application of the Charitable Exemption hinges on the interpretation of a number of terms which have a technical, legal meaning. They are as follows:
 - (i) "charitable purposes";
 - (ii) "occupied"; and
 - (iii) "exclusively".
5. The full meaning of each of those terms is as set out below.

Charitable Purposes

6. The technical meaning of the word "charitable" is not the same as the popular meaning of the word.
7. The following activities are charitable purposes:
 - (i) the relief of the aged;
 - (ii) the relief of those who are physically weak, disabled or helpless;
 - (iii) the relief of poor people;

- (iv) the advancement of education;
 - (v) the advancement of religion; and
 - (vi) other purposes beneficial to the community, not falling under any of the preceding heads.
8. The activities carried out must be for the benefit of the public, except where they relate to the paragraphs 7(i) to 7(iii), not for the benefit of an individual or particular individuals.
9. It is not necessary that an entity is a registered charity in order to be carrying out a charitable purpose; and the registration of an entity as a charity is not conclusive evidence that it is carrying out a charitable purpose.
10. Some examples include:
- (i) provision of childcare services on a not-for-profit basis; and
 - (ii) a school, unless the school:
 - (a) is operated for personal benefit; or
 - (b) requires the adherence to a particular religion, membership of a particular association, organisation of society.

Ownership

11. Evidence that a property is owned or beneficially owned by a charity does not in itself satisfy the qualifying requirement as to ownership necessary to establish the exemption.
12. In considering an application for exemption the "purpose" for owning the land must be determined. "Purpose" refers to the end or objective to be achieved by the ownership of the relevant land.
13. To satisfy the requirement of "ownership" in Section 87(1)(d) it must be established that the land is owned exclusively for a charitable purpose.

Occupied

14. In most cases, it will be clear who occupies a property; it will be the entity that has physical control of the property.
15. The occupation of a property may be less obvious for circumstances such as low-cost housing or a residence associated with another charitable organisation (such as a convent). Those properties may in fact be "occupied" by the charitable organisation, rather than the individual who resides there. The factors that may be relevant to determining this issue are:

- (i) the location of the residence in relation to the balance of the property;
 - (ii) who resides there and what role they carry out within the charitable organisation;
 - (iii) whether any of the activities of the charitable organisation are carried out at the residence; and
 - (iv) whether the lease or licence give the occupants the right to exclude the charitable organisation from the residence.
16. The following are examples which may satisfy the "occupied" requirement:
- (i) a presbytery (residence for parish priest);
 - (ii) a convent (resident for nuns);
 - (iii) a residence on school grounds used by the vice principal of the school, where the residence was used to a substantial extent for school purposes; and-
 - (v) an independent living unit which is part of a retirement village operated by a charitable organisation.
17. The following will not satisfy the Charitable Exemption:
- (i) low-cost (below market rental) housing, where the tenant has the right to possession of the property and the ability to restrict access to the owner – the housing will be occupied for residential purposes, not charitable purposes, and the purpose of the occupancy is not for the benefit of the public.

Exclusively

18. There may be activities of a non-charitable nature carried out at the property. However, in order to fall within the Charitable Exemption, the non-charitable purposes must only be incidental, and not a dual purpose for owning or occupying the land.
19. For example:
- (i) if a charitable organisation carries out a commercial enterprise on a property then it will not be occupied exclusively for a charitable purpose, even if the profits from those activities are used to fund the other activities of the charitable organisation; and
 - (ii) if a school has a farm which it uses to educate its pupils about farming operations, and the produce from the farm was able to be sold for a

surplus, the sale of produce would only be incidental to the charitable purpose of education and the property would therefore be exclusively occupied for charitable purposes.

Application to Council

20. In order to obtain the Charitable Exemption, an application may be made to the Council. Where an application is made to obtain the Charitable Exemption, the following information must be provided in relation to each piece of land, supported by a statutory declaration and copies of any relevant documents:

Ownership

- (i) who is the registered owner of the property;
- (ii) whether the beneficial owner of the property is different from the registered owner, and if so, provide details of the beneficial owner, supported by copies of any documents such as a share register or trust deed;
- (iii) if the owner is not an individual:
 - (a) what type of entity is the owner of the land, such as an incorporated association or a company, supported by a copy of a company or business name extract or other similar document; and
 - (b) who is the beneficial owner of any shares in the entity which owns the land, supported by copies of any documents such as a company extract or share register;
- (iv) what are the current objectives and activities of the owner of the land generally, supported by any relevant documents such as a constitution, rules or by-laws, and any documentation certifying a deductible gift recipient status;
- (v) what is the current purpose or purposes of ownership of the property;
- (vi) that purpose or are those purposes exclusively charitable and if so, provide details;

Occupation

- (vii) if the occupier of the property is different to the owner of the property, then provide the same details about the occupier as set out in paragraphs 20(i) to 20(iv) above;
- (viii) what is the current purpose or purposes of occupation of the property, addressing the matters listed in paragraph 15 and supported by documents such as a lease or licence agreement; and
- (ix) is that purpose or are those purposes exclusively charitable and if so, provide details.

21. As part of the assessment by the Council, it may be necessary for a Council officer to carry out an inspection of the property and/or to request further information to support the application.
22. Once the Council has acknowledged that the Charitable Exemption applies, the exemption will continue to apply unless there is a change in the ownership or occupation of the property.
23. If there is a change to the ownership of the property, the exemption will automatically cease to have effect from the date of the transfer of the property, unless an application is made by the new owner pursuant to this policy and the exemption accepted by the Council.
24. If there is a change of occupier of the property, the owner must notify the Council immediately. If the exemption is sought in relation to the new occupier, an application must be made pursuant to this policy.
25. If the property is not owned and occupied for a charitable purpose for the entire rating period, then the exemption will not apply to the property for the whole year.

Objection to Rates Notice

26. This policy acknowledges that a person may object to a Rates Notice on the ground that the land specified in the Rates Notice is exempt from the payment of those rates on the basis that the Charitable Exemption applies.
27. The General Manager shall expect that any objection made pursuant to Section 123(2) of the *Local Government Act 1993*, shall be accompanied by sufficient information to meet the requirements of clause 20 of this policy.
28. Eligibility for a rebate will be reviewed annually.

Remission of rates

29. If the Charitable Exemption does not apply, the land will be rateable and rates will be charged in accordance with Council's Rates and Charges Policy and the *Local Government Act 1993*. It is possible to apply to the Council for a remission of rates as set out in that Policy, or apply for a grant to be provided by the Council to effectively offset the rates. The information sought in paragraph 20 of this policy, in so far as it is relevant, should be provided in support of the application for a remission.

More Information

30. For more information on Council rates and charges please contact the Council's Rates Unit on:

Tel: 6238 2787



Tel: 6238 2183

Tel: 6238 2833

Email: rates@hobartcity.com.au; or visit the Council's website at:
<http://www.hobartcity.com.au/Council/Rates>

4. Legislation, Terminology and References

Section 87(1)(d) of the *Local Government Act 1993*

Section 123(2) of the *Local Government Act 1993*

Fire Services Act 1979

Responsible Officer:	Director City Governance
Policy first adopted by the Council:	27/4/2015
History	
Amended by Council	7/3/2016
Amended by Council	15/4/2019
Next Review Date:	April 2020

**6.3 Proposed 2020 Council and Committee Meeting Schedule and
Temporary City Planning Committee Delegation
File Ref: F19/131963**

Report of the Deputy General Manager of 9 October 2019 and
attachments.

Delegation: Council

**REPORT TITLE: PROPOSED 2020 COUNCIL AND COMMITTEE
MEETING SCHEDULE AND TEMPORARY CITY
PLANNING COMMITTEE DELEGATION**

REPORT PROVIDED BY: Deputy General Manager

1. Report Purpose and Community Benefit

- 1.1. The purpose of this report is to consider the Council and committee meetings schedule for 2020.

2. Report Summary

- 2.1. A schedule is compiled annually which outlines the meeting dates for Council and Council Committees and is submitted to the Council for adoption.
- 2.2. Three options for 2020 are presented for the Council's consideration.
- 2.2.1. It should be noted that the Council has an open resolution to give consideration to aligning the committee structure to the City's Vision, which was approved by Council in July 2018.
- 2.2.2. With the recent adoption of the City's Strategic Plan, this review is now scheduled to occur early in the New Year.
- 2.2.3. If the result of this process requires changes to the meeting schedule adopted as a result of this report, this will be accommodated at the appropriate time. Formalising a 12-month meeting schedule now, provides the community and Elected Members with a preliminary calendar for the conduct of Council business in the interim period.
- 2.3. Historically, the meeting schedule has been prepared using an approach which is based around a monthly meeting cycle which includes two Council and City Planning Committee meetings and one meeting of each of the other Council committees.
- 2.4. The schedule has provided for three, three week cycles between Council meetings which have traditionally been aligned with Easter and months which contain 5 weeks.
- 2.5. The approach taken in preparing the 2020 scheduled has varied from previous years with officers providing three different options for consideration:
- 2.5.1. **Option A** (Attachment A) – the meeting cycle commences in the third week of January allowing a longer break from Council business over the Christmas / New Year period. The three week cycles have been aligned with Easter and the second week of both the July and October school holidays.

- 2.5.1.1. Commencing the third week of January avoids agenda's having to be circulated in the first three days of January. It also means that some Council meetings will be held on a Tuesday due to a public holiday occurring on the Monday.
- 2.5.2. **Option B** (Attachment B) – in addition the changes made in option A, option B proposes that the Community Culture and Events Committee and the Economic Development and Communications Committees be held on the same Thursday evening with one scheduled to occur at the conclusion of the other.
 - 2.5.2.1. Scheduling these two traditionally lighter committees to occur on the same evening has the advantage of 'smoothing' the Council agenda cycle.
- 2.5.3. **Option C** (Attachment C) – this is the same as Attachment B with the additional proposal to alternate the Council Workshop timeslot across Tuesday, Thursday and Friday.
 - 2.5.3.1. Workshops occurring on the Tuesday and Thursday would commence at 5pm.
 - 2.5.3.2. Workshops occurring on a Friday would commence at 2pm or at another time as agreed by Council.
- 2.6. All options retain a meeting cycle which includes two Council and City Planning Committee meetings and one meeting of each of the other Council committees per month.
- 2.7. In the event that any urgent business arises which cannot be accommodated within any of the proposed meeting schedule options, special meetings will be convened as required.
- 2.8. In accordance with Regulation 7(2) of the *Local Government (Meeting Procedures) Regulation 2015*, the Council's adopted meeting schedule will be advertised in the Mercury in January and also published on the City of Hobart website.
- 2.9. It is also recommended that the Council provide a delegation to the City Planning Committee, consistent with the delegation provided in prior years, to enable planning applications to be approved during the Christmas period.

3. Recommendation

That:

1. ***The Council consider its preferred option for a 2020 Council and Council Committee meeting schedule, from options marked as Attached A, Attachment B and Attachment C to the report.***
2. ***In the event that any urgent matters arise which cannot be accommodated within the preferred 2020 meeting schedule option, special meetings be convened as required.***
3. ***The City Planning Committee be provided with the following delegation in order to facilitate the processing of planning permit applications during the Christmas period:***
 - (i) ***To determine all planning permit applications which would otherwise be determined by the Council, between 10 December 2019 and the first ordinary scheduled Council meeting in January 2020, in circumstances where it would not otherwise be possible to determine the application within the statutory time period required under Sections 57(6), 57(6A), 58(2) or 58(2A) of the Land Use Planning and Approvals Act 1993, and an extension of time cannot be obtained, unless an Elected Member has requested the convening of a special meeting or meetings to determine the application.***

4. Delegation

- 4.1. This matter is delegated to the Council.





As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Heather Salisbury
DEPUTY GENERAL MANAGER

Date: 9 October 2019
File Reference: F19/131963

Attachment A: Option A - 2020 Meeting Schedule ↓ 

- Attachment B: Option B - 2020 Meeting Schedule  
- Attachment C: Option C - 2020 Meeting Schedule  

**Agenda (Open Portion)
Finance and Governance Committee Meeting - 15/10/2019**

Option A

2020	January	February	March	April	May	June	July	August	September	October	November	December		
Sunday			1			31			30		1			
Monday			2	CPC		1	CPC		31	CPC	2	CPC		
Tuesday			3	Council Workshop		2	Council Workshop		1	Council Workshop	3	Council Workshop		
Wednesday	1	Five Years Day	4		1		3	1	2		4	2		
Thursday	2		5		2		4	2	3	1	5	3		
Friday	3		6	3	1		5	3		2	6	4		
Saturday	4	1	7	4	2		6	4	1	5	7	5		
Sunday	5		8	5	3		7	5	2	6	8	6		
Monday	6	3	CPC	9	Eight Hour Day	6	Council Meeting	4	CPC	8	Quinn's Day	7	Council Meeting	
Tuesday	7	4	Council Workshop	10	Council Meeting	7		5	Council Workshop	9	Council Meeting	6	FOC	
Wednesday	8	5		11	CCEC	8	CCEC	6	10	CCEC	8	CCEC	9	CCEC
Thursday	9	6		12	PRC	9	PRC	7	11	PRC	9	PRC	10	PRC
Friday	10	7		13		10	Good Friday	8	12		10	7	11	11
Saturday	11	8		14		11		9	13		11	8	12	12
Sunday	12	9		15		12		10	14		12	9	13	13
Monday	13	10	Republic Day	16	CPC	13	Seven Months	11	Council Meeting	15	CPC	13	10	Council Meeting
Tuesday	14	11	Council Meeting	17	FOC	14	Seven Months	12		16	FOC	14	11	FOC
Wednesday	15	CCEC	12	CCEC	18		15	13	CCEC	17		15	12	CCEC
Thursday	16	PRC	13	PRC	19		16	14	PRC	18		16	13	PRC
Friday	17		14		20		17	15		19		17	14	
Saturday	18		15		21		18	16		20		18	15	
Sunday	19		16		22		19	17		19		19	16	
Monday	20	CPC	17	CPC	23	Council Meeting	20	CPC	18	CPC	22	Council Meeting	20	CPC
Tuesday	21	FOC	18	FOC	24		21	FOC	19	FOC	23		21	FOC
Wednesday	22		19		25	CIC	22		20		24		22	
Thursday	23		20		26	EDCC	23		21		25		23	
Friday	24		21		27		24		22		26		24	
Saturday	25		22		28		25		23		27		25	
Sunday	26		23		29		26		24		28		26	
Monday	27	Ass. Day/Hol	24	Council Meeting	30	CPC	27	Council Meeting	25	Council Meeting	29	CPC	27	Council Meeting
Tuesday	28	Council Meeting	25		31	Council Workshop	28		26		30	Council Workshop	28	
Wednesday	29	CIC	26	CIC			29	CIC	27	CIC			29	CIC
Thursday	30	EDCC	27	EDCC			30	EDCC	28	EDCC			30	EDCC
Friday	31		28						29				31	
Saturday			29						30					

----- Committee cycle starts in the 3rd week of January.
Three week cycles aligned with school holidays.

Option B

2020	January	February	March	April	May	June	July	August	September	October	November	December	
Sunday			1			31			30		1		
Monday			2	CPC		1	CPC		31	CPC	2	CPC	
Tuesday			3	Council Workshop		2	Council Workshop		1	Council Workshop	3	Council Workshop	
Wednesday	1	Public Works Day	4		1	3		1	2		4		
Thursday	2		5		2	4		2		1	5		
Friday	3		6		3	5		3		2	6		
Saturday	4	1	7		4	2		4		3	7		
Sunday	5		8		5	3		5		4	8		
Monday	6	3	CPC	9	Eight Hour Day	Council Meeting	4	CPC	8	Quinn's Day	Council Meeting	7	CPC
Tuesday	7	4	Council Workshop	10	Council Meeting	7		5	Council Workshop	9	Council Meeting	6	FOC
Wednesday	8	5		11		8		6		7		8	
Thursday	9	6		12	PRC	9	PRC	7		8		9	
Friday	10	7		13		10		8		9		10	PRC
Saturday	11	8		14		11		9		10		11	
Sunday	12	9		15		12		10		11		12	
Monday	13	10	Republic Day	16	CPC	13	Seven Month	11	Council Meeting	15	CPC	13	Council Meeting
Tuesday	14	11	Council Meeting	17	FOC	14	Seven Month	12		16	FOC	14	
Wednesday	15	12		18		15		13		17		15	
Thursday	16	PRC	13	PRC	19	16	PRC	14	PRC	18	16	PRC	17
Friday	17		14		20	17		15		19	17		18
Saturday	18		15		21	18		16		20	18		19
Sunday	19		16		22	19		17		19	19		20
Monday	20	CPC	17	CPC	23	Council Meeting	20	CPC	17	CPC	21	Council Meeting	21
Tuesday	21	FOC	18	FOC	24		21	FOC	18	FOC	22		22
Wednesday	22		19		25	CIC	22		19		23	CIC	23
Thursday	23		20		26	COEC-EDCC	23		20		24	COEC-EDCC	24
Friday	24		21		27		24		21		25		25
Saturday	25		22		28		25		22		26		26
Sunday	26		23		29		26		23		27		27
Monday	27	Ass. Day/Hol	24	Council Meeting	30	CPC	27	Council Meeting	24	Council Meeting	28	CPC	28
Tuesday	28	Council Meeting	25		31	Council Workshop	28		25		29	Council Workshop	29
Wednesday	29	CIC	26			CIC	27		26		30	CIC	30
Thursday	30	COEC-EDCC	27	COEC-EDCC		30	COEC-EDCC	28	COEC-EDCC	27	COEC-EDCC		31
Friday	31		28			31		29			30		
Saturday			29			30		29			31		

COEC / EDCC
 One committee would follow the other on the same night and provide some smoothing of the Council Agendas
 Committee cycle starts in the 3rd week of January.
 Three week cycles aligned with school holidays.

**Agenda (Open Portion)
Finance and Governance Committee Meeting - 15/10/2019**

Option C

2020	January	February	March	April	May	June	July	August	September	October	November	December
Sunday			1			31			30		1	
Monday			2	CPC			1	CPC		31	CPC	2
Tuesday			3				2			1		3
Wednesday	1	Star Wars Day	4		1		3		1		4	Council Workshop
Thursday	2		5	Council Workshop	2		4	Council Workshop	2		5	
Friday	3		6		3	Council Workshop	1		3	Council Workshop	1	4
Saturday	4	1	7		4	2		4	2	1	5	3
Sunday	5	2	8		5	3	7		5	2	6	4
Monday	6	3	9	Light Hour Day	6	Council Meeting	4	CPC	8	Council Meeting	5	7
Tuesday	7	4	10	Council Workshop	7		5	Council Workshop	9	Council Meeting	6	8
Wednesday	8	5	11		8		6		10	Council Meeting	7	9
Thursday	9	6	12	PRC	9	PRC	7		11	PRC	8	10
Friday	10	7	13		10	Overnight Day	8		12		9	11
Saturday	11	8	14		11		9		13		10	12
Sunday	12	9	15		12		10		14		11	13
Monday	13	10	16	CPC	13	Council Meeting	11	CPC	15	CPC	12	14
Tuesday	14	11	17	FGC	14	Overnight Day	12		16	FGC	13	15
Wednesday	15	12	18		15	Overnight Day	13		17		14	16
Thursday	16	PRC	19	PRC	16		14	PRC	18		15	17
Friday	17	14	20		17		15		19		16	18
Saturday	18	15	21		18		16		20		17	19
Sunday	19	16	22		19		17		21		18	20
Monday	20	CPC	23	Council Meeting	20	CPC	18	CPC	22	Council Meeting	19	21
Tuesday	21	FGC	24		21	FGC	19	FGC	23		20	22
Wednesday	22	19	25	CIC	22		20		24	CIC	21	23
Thursday	23	20	26	CCBC/EDCC	23		21		25	CCBC/EDCC	22	24
Friday	24	21	27		24		22		26		23	25
Saturday	25	22	28		25	PRC	23		27		24	26
Sunday	26	23	29		26		24		28		25	27
Monday	27	24	30	CPC	27	Council Meeting	25	Council Meeting	29	CPC	26	28
Tuesday	28	Council Meeting	31		28		26		30		27	29
Wednesday	29	CIC			29	CIC	27	CIC			28	
Thursday	30	CCBC/EDCC			30	CCBC/EDCC	28	CCBC/EDCC			29	31
Friday	31						29					
Saturday		29				30		29		31		

Council Workshops Workshops alternate over different nights
 ***Workshops falling on a Friday will commence at 2pm
 CCBC / EDCC One committee would follow the other on the same night and provide some smoothing of the Council Agenda
 --- Committee cycle starts in the 3rd week of January. Three week cycles aligned with school holidays.

6.4 Mawson Place - Matilda
File Ref: F19/132749

Memorandum of the General Manager of 10 October 2019.

Delegation: Committee



City of **HOBART**

MEMORANDUM: FINANCE AND GOVERNANCE COMMITTEE

Mawson Place - Matilda

The Matilda is a double ended fishing boat and is one of the 12 oldest fishing/sailing vessels in the world (International Register of Historic Ships). It was built around 1886. Following its use as a fishing boat the Matilda was based at Port Arthur and worked around the Tasman Peninsula, also carrying mail & passengers to and from the Tasman Island lighthouse.

At its meeting of 25th September 2000, Council formally accepted the transfer of ownership of the vessel "Matilda" from the Port Arthur Historic Site Management Authority and restored it as part of the Mawson Place project. The following caveat applied to the transfer:

- A covenant be placed on the transfer to ensure that if disposal of the vessel becomes necessary it will remain in public ownership in an appropriate public repository.

Council specified the following directions in their decision:

- The "Matilda" be displayed as a dry exhibit on a floating pontoon in Constitution Dock and covered by a boom tent in accordance with the conservation recommendations as detailed in the Matilda Conservation Assessment carried out by Michael Staples.
- An allocation of \$20,000 per annum be provided in subsequent annual Council operating budgets for security surveillance of Mawson Place and the "Matilda" (\$15,000 pa) and the ongoing maintenance of the "Matilda" (\$5,000).

The Matilda is now displayed on a pontoon at Mawson Place. The boat was valued at \$238,300 by Dean Marks Boatbuilding in June 2014. The annual operational budget is in the order of \$10,000 for maintenance and insurance.

As a result of the proposal by TasPorts to modify Constitution Dock, officers are proposing a review of Council continuing ownership and/or management of Matilda. In accordance with the caveat, ownership would need to be transferred to a public repository that was capable of maintaining the ongoing upkeep of the boat. An Informal approach to the Maritime Museum Tasmania indicated that they would not

be interested in taking ownership. Initial discussions with the Port Arthur Historic Site indicate that they may consider the return of the Matilda to them. Alternatively an expression of interest could be called. The issue of 'public ownership' may be problematic. Depending on the outcome of the Expression of Interest process there may be options for a public authority to have ownership with an appropriate agreement for management by an interest group.

RECOMMENDATION

That:

- 1. The Council authorise the General Manager to formally approach the Port Arthur Historic Site with regard to the return of the Matilda.**
- 2. If the Port Arthur Historic Site is not interested in the return, an Expression of Interest be called to identify possible options for the future of The Matilda.**

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



N D Heath
GENERAL MANAGER

Date: 10 October 2019
File Reference: F19/132749

**6.5 Update of Customer Service Charter and Annual Complaint Report
2018/19
File Ref: F19/119268; 11-15-9**

Report of the Principal Advisor - Customer Relations and Hallkeeping
and the Deputy General Manager of 10 October 2019 and attachments.

Delegation: Council

REPORT TITLE: UPDATE OF CUSTOMER SERVICE CHARTER AND ANNUAL COMPLAINT REPORT 2018/19**REPORT PROVIDED BY:** Principal Advisor - Customer Relations
Deputy General Manager**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to update the customer service charter and provide the statistics in relation to registered complaints.

2. Report Summary

- 2.1. The Council adopted its latest Customer Service Charter at its meeting on 21 May 2018.
- 2.2. The customer services charter has been updated to reflect the new City of Hobart values adopted in January this year, it includes more commentary about our commitment to customer service as well as expanding the definition of a complaint.
- 2.3. An updated version has been prepared and is provided with track changes as Attachment A, a clean version without track changes can be seen as Attachment B.
- 2.4. Section 339F (5) of the *Local Government Act 1993* requires the General Manager to provide the Council with a report at least once a year with the number and nature of complaints received.
 - 2.4.1. During 2018/19, 22 complaints were received.
 - 2.4.2. By comparison 26 complaints were received during 2017/18.
- 2.5. It is anticipated the expansion of the complaints definition and the improved process for capturing complaints will lead to an increase in the numbers reported.
- 2.6. An internal awareness campaign in relation to compliment and complaint management has led to the increased recording of this data for the 2019/20 period.
- 2.7. To date in the first quarter of 2019/20 there has been a similar number of compliments recorded, as there has been complaints.
- 2.8. Centralised management of complaints has increased the visibility and requirement to ensure complaints are captured. Oversight via the new management process has also assisted in ensuring that initial acknowledgement and contact is made within the appropriate timeframes.

- 2.9. Of the complaints received during 2018/19, twenty related to officer behaviour.
- 2.9.1. City Amenities Division, Civil Works Crew had ten officer behaviour complaints. The focus of these complaints was on poor driving or behaviour of staff while in a CoH Vehicle.
- 2.9.2. City Innovation Division, Parking and Information officers had ten complaints related to rude or unhelpful officer behaviour. These complaints came from customers;
- receiving an on street parking infringement
 - using off street car parking facilities
 - making a call to our phone services
- 2.9.3. Two complaints related to customer queries not being responded to in a timely manner.
- 2.10. In all cases an investigation was carried out by the respective manager with feedback provided to the complainant.
- 2.11. The introduction of the Council's first whole of organisation customer request system will considerably assist in capturing, and responding to customer request and subsequent complaints.
- 2.12. The Capital City Strategic Plan 2015-2025 commits the organisation to "Deliver best practice customer service across the organisation".
- 2.13. This matter is delegated to the Council.

3. Recommendation

That:

- 1. The report be received and noted.***
- 2. Council endorse the updated Customer Service Charter***

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.





Anna Holland
**PRINCIPAL ADVISOR - CUSTOMER
RELATIONS**



Heather Salisbury
DEPUTY GENERAL MANAGER

Date: 10 October 2019
File Reference: F19/119268; 11-15-9

Attachment A: Updated Customer Service Charter - Track Changes ↓ 
Attachment B: Updated Customer Service Charter - Clean Version ↓ 



City of **HOBART**

CUSTOMER SERVICE CHARTER *Community Focused* **– Putting the Customer First**

Introduction

Our Mission is “Working together to make Hobart a better place for the community” so we recognises that community is at the centre of our business and the reason we exist.

As a local government organisation the City of Hobart is a complex business which provides a widely diverse range of services. We appreciate that our customers can sometimes find doing business with us difficult and confusing.

Our objective is to foster strong and respectful relationships with our customers and make it easy for them to do business with us.

We will achieve this by applying best-practice customer focused business principles to our service delivery:

- Focusing on the benefits of good communication;
- Thinking innovatively, including outside in - from the viewpoint of our customers;
- Seeking participation and feedback from our customers in relation to our performance;
- Training our employees to understand their responsibility to deliver professional, customer-focused service;
- Supporting our operations by the use of relevant technologies

Our Customers

Our customers are the people who live, play, work, visit, own, operate and transact business in our City.

They are also those who help us do our business; our stakeholders and our employees who must work collaboratively together to deliver necessary services and projects which make Hobart the special place it is.

Our Commitment:

~~The City of Hobart Customer Service Charter~~This documents details our service commitment to ~~our customers~~you.

If we don't meet these standards please let us know so we can keep improving.

We Value:

~~City of Hobart values: our values underpin our customer service approach~~

1. ~~We're about~~ People

We value people – our community, customers and colleagues

2. ~~We're professional~~ Teamwork

We ~~take pride in our work~~collaborate both internally and externally

3. ~~We're enterprising~~ Focus and Direction

We ~~look for ways to create value~~have clear goals and plans to achieve outcomes for the Community

4. ~~We're responsive~~ Creativity and Innovation

We're ~~We~~ accessible and focused on serviceembrace new approaches and continuously improve

5. ~~We're inclusive~~ Accountability

We respect diversity in people and ideaswork to high ethical and professional standards, and we are accountable for delivering outcomes

Our values underpin our customer service approach

~~We're making a difference~~

~~We recognise that everything we do shapes Hobart's future~~

Our Service Framework:

We will

- Build a customer first culture which puts our customers at the centre of everything we do
- Train and develop employees to take responsibility for providing a customer first approach
- Communicate with our customers and keep them in mind when developing policies and procedures
- Measure, report, review, improve

Our Service Principles:

~~Service Principles:~~ ~~As~~ a customer of the City of Hobart you can expect us to act:

- Respectfully
by providing courteous and friendly service, listening to your needs and valuing and considering the perspective and contribution of our diverse community
- Responsively
by keeping you informed using your preferred method of contact
- Resourcefully
by delivering a range of relevant and accessible services on your behalf and managing and maintaining facilities to ensure a high standard of presentation and performance for your use and enjoyment

Our Contact Standards:

~~outline our service commitments to our customers~~

You can expect the following responses from us.

- We will answer your phone call promptly and where possible resolve general enquiries, at the time of your call.
- Where we need to take specific action, we will refer you to the relevant service area and let you know what will happen next.

- ~~○ We will reply to your correspondence, including e-mails and advise you of our intended actions, within ten business days.~~
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Hobart 7001

By email: coh@hobartcity.com.au

Online: general request form at
hobartcity.com.au/Council/Communications-complaints-and-feedback

YourSayHobart
yoursay.hobartcity.com.au

Via social media: Facebook: facebook.com/CityofHobartOfficial/#
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City of **HOBART**

Community Focused – Putting the Customer First

Introduction

At the City of Hobart our mission is “Working together to make Hobart a better place for the community”, so we recognise that community is at the centre of our business and the reason we exist.

As a local government organisation the City of Hobart is a complex business which provides a widely diverse range of services. We appreciate that our customers can sometimes find doing business with us difficult and confusing.

Our objective is to foster strong and respectful relationships with our customers and make it easy for them to do business with us.

We will achieve this by applying best-practice customer focused business principles to our service delivery:

- Focusing on the benefits of good communication;
- Thinking innovatively, including outside in - from the viewpoint of our customers;
- Seeking participation and feedback from our customers in relation to our performance;
- Training our employees to understand their responsibility to deliver professional, customer-focused service;
- Supporting our operations by the use of relevant technologies.

Our Customers

Our customers are the people who live, play, work, visit, own, operate and transact business in our City.

They are also those who help us do our business; our stakeholders and our employees who must work collaboratively together to deliver necessary services and projects which make Hobart the special place it is.

Our Commitment:

This documents details our service commitment to you. If we don't meet these standards please let us know so we can keep improving.

We Value:

1. *People*

We value people – our community, customers and colleagues.

2. *Teamwork*

We collaborate both internally and externally.

3. *Focus and Direction*

We have clear goals and plans to achieve outcomes for the Community.

4. *Creativity and Innovation*

We embrace new approaches and continuously improve.

5. *Accountability*

We work to high ethical and professional standards, and we are accountable for delivering outcomes.

Our values underpin our customer service approach.

Our Service Framework:

We will

- Build a customer first culture which puts our customers at the centre of everything we do.
- Train and develop employees to take responsibility for providing a customer first approach.
- Communicate with our customers and keep them in mind when developing policies and procedures.
- Measure, report, review, improve.

Our Service Principles:

As a customer of the City of Hobart you can expect us to act:

- Respectfully
by providing courteous and friendly service, listening to your needs and valuing and considering the perspective and contribution of our diverse community.
- Responsively
by keeping you informed using your preferred method of contact
- Resourcefully
by delivering a range of relevant and accessible services on your behalf and managing and maintaining facilities to ensure a high standard of presentation and performance for your use and enjoyment.

Our Contact Standards:

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7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 Elected Members - Random Illicit Drug and Alcohol Testing **FILE REF: F19/129656; s13-001-09**

Aldermen Briscoe / Denison

Motion

“That a report be prepared addressing the following:

- The Elected Members (All Aldermen, Councillors, Deputy Lord Mayor and Lord Mayor) be included in the City of Hobart staff random illicit drug and alcohol testing program.
- The results (including nil results) of the Elected Members drug and alcohol testing be published on the City of Hobart webpage regularly as part of the monthly reporting.
- The consequences if an Elected Member fails the drug or alcohol test, including not participating in any meetings for that day (similar to the City of Hobart staff policy)
- Appropriate counselling being offered to repeat offenders.”

Rationale:

“Elected Members are held to the highest standard of behaviour, as the decisions they make involve, at times, spending high sums of money and making important strategic and planning decisions.

Impaired judgment through illicit drug or alcohol use prior to meetings would affect the quality of decisions made. Only zero tolerance is acceptable.

The absence of testing of the Elected Members of HCC is an anomaly that can be readily corrected by this motion.

It is also arguable that the Council Chamber and meeting rooms are a workplace under the Work Health and Safety legislation and that the elected members are workers under the legislation and that similar rules should apply to elected members as they do to employees. All City of Hobart employees are subject to random drug and alcohol testing.

The Unions in the past have called for the testing of Elected Members in line with the City of Hobart staff.”

Alderman Jeff Briscoe

Alderman Tanya Denison.

The General Manager reports:

“In line with the Council’s policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it relates to safety in the Council workplace.”

8. COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report

A report indicating the status of current decisions is attached for the information of Elected Members.

RECOMMENDATION

That the information be received and noted.

Delegation: Committee

Attachment A: Status Report

FINANCE AND GOVERNANCE COMMITTEE - STATUS REPORT

OPEN PORTION OF THE MEETING

September 2019

Ref	Title	Report / Action	Action Officer	Comments
1.	<p style="text-align: center;">CITY HALL – DEVELOPMENT OPPORTUNITIES – VENUES</p> <p style="text-align: center;">Council, 23/2/2015, Item 12</p> <p style="text-align: center;">CITY HALL RESTORATION</p> <p style="text-align: center;">Council, 22/02/2016 Item 19</p>	<p>That: 1. A consultant be engaged to develop a business plan for the City Hall, as a matter of urgency to inform long term infrastructure investment, the future management and operational model for the facility, at an approximate cost of \$100,000 to be funded from 2015/2016 operational savings.</p> <p>2. A further report also be prepared that provides details of all Council physical building assets and their current uses including options for maximising community usage for buildings that are underutilised.</p>	Executive Manager City Place Making	<p>1. A report presenting a summary of Draft Master Plan options for the Hobart City Hall was considered in the closed portion of the June 2019 Finance and Governance Committee meeting.</p> <p>2. Officers are currently scoping the preparation of a report detailing Council physical building assets and their current and potential use.</p>

Ref	Title	Report / Action	Action Officer	Comments
2.	<p style="text-align: center;">NOTICE OF MOTION COUNCIL CAR PARKS - SECURE SHORT TERM BICYCLE FACILITIES Council, 23/05/2016 Item 14</p>	<p>That a report be prepared on options for appropriate secure short-term cycling facilities with a focus on the 42 vacant spaces in the Argyle Street car park along with other Council car parks, for people who choose to cycle into the city.</p>	<p>Director City Innovation</p>	<p>An Elected Member workshop was held on 16 July to discuss a range of strategic options relating to the City's off-street parking facilities.</p> <p>Additionally, an initiative has been included for public consideration in the <i>Connected Hobart Action Plan</i>.</p>
3.	<p style="text-align: center;">SANDY BAY BATHING PAVILION, LONG BEACH Council, 24/7/2017 Item 15</p>	<p>That proposals associated with the development of a new second floor restaurant above the Sandy Bay Bathing Pavilion be proceeded with and the expenditure of \$16,800 be approved.</p>	<p>General Manager</p>	<p>Upper floor: Architects Terroir have developed a new design in conjunction with the Pavilion's original architect, Mr Dirk Bolt who supports the design.</p> <p>Pre-application advice has been received from City of Hobart Planning and Heritage teams, as well as Heritage Tasmania.</p> <p>Endorsement for the design was granted by Council on 17 June. The next step is to lodge a DA.</p> <p>Ground floor: A new lease has been offered to Surf Life Saving Tasmania for a reduced footprint (this is subject to community consultation).</p> <p>A new proposal for the use of the ground floor of the Pavilion has been submitted to Council for a café. Control over the leasable area for a café has been retained by the City of Hobart. The proponent will be consulting with Heritage</p>

Ref	Title	Report / Action	Action Officer	Comments
				<p>Tasmania and the original architect of the Pavilion before lodging a DA.</p> <p>It is anticipated that both DAs will be considered at the same time.</p>
4.	<p>ELECTRIC VEHICLES AND CHARGING STATIONS</p> <p>Council, 25/7/2016 Item 20</p>	<p>That:</p> <ol style="list-style-type: none"> 1. Council officers continue to monitor the types of electric and hybrid vehicles available on the market to determine whether any would be suitable for inclusion in the City's fleet. 2. City employees be canvassed to determine demand for electric bicycle charging stations at the City's corporate buildings. If there is sufficient demand, then power outlets be installed in suitable locations. 3. Appropriate street signage be installed to direct users of electric vehicles (EV) and bicycles to the charging stations located at the Hobart Central Car park. 4. That the Hobart Bicycle Advisory Committee be requested to consider initiatives to encourage the wider use of electric bicycles. 	<p>Director City Innovation</p>	<ol style="list-style-type: none"> 1. Officers are monitoring electric and hybrid vehicle models for potential inclusion in the fleet. Models have now been added to the State Government list and we are looking to include these on our list. The range of suitable vehicles available in Australia continues to be very limited, though is expected to improve over the next 12-24 months. 2. Options for canvassing employees are being considered. Charging stations have been installed in the Hobart Central Car Park on a trial basis. 3. Officers are progressing the signage installation. 4. The Committee has provided input into the Connected Hobart development process and will be further consulted on the draft framework and action plan in 2019

Ref	Title	Report / Action	Action Officer	Comments
5.	<p style="text-align: center;">COUNCIL AND COMMITTEES - STRUCTURE AND GOVERNANCE MATTERS</p> <p style="text-align: center;">Council 4/12/2017 Item 21</p>	That further consideration of the strategic realignment of its existing committee structure occur after the completion of the Council's visioning project.	Deputy General Manager	Now that the Council's new strategic plan has been finalised, it is proposed to review the committee structure early in 2020.
6.	<p style="text-align: center;">SHAPING THE CITIES OF HOBART AND GLENORCHY – DETERMINING THE BENEFITS OF ENHANCED LAND VALUE THROUGH INVESTMENT IN A PUBLIC TRANSIT SYSTEM</p> <p style="text-align: center;">Council 9/2/2016 Supp Item 16</p>	That the Council initiate a Public Transit Corridor Urban Utilisation and Economic Benefit project for the current rail corridor, based on the proposal titled 'Shaping the Cities of Hobart and Glenorchy – Determine the Benefits of Enhanced Land Value through Investment in a Public Transit System', subject to the matched support of the Glenorchy City Council.	General Manager	At its 20 August 2018 meeting, the Council resolved that further activities by the Hobart Glenorchy Public Transit Corridor Committee be put on hold pending finalisation of the Hobart City Deal process.
7.	<p style="text-align: center;">UNIVERSITIES CONFERENCE AND STUDY TOUR</p> <p style="text-align: center;">Council 6/2/2017 Item 17.</p>	That a further report be provided to investigate extending an invitation to Gehl Architects to visit the City for the purposes of reviewing the urban transformation work the City has done to date and to provide a public lecture.	General Manager	A suitable opportunity to invite Gehl Architects has not been identified at this time. Investigations on future opportunities is ongoing.
8.	<p style="text-align: center;">CITY OF HOBART - CUSTOMER SERVICE CHARTER</p> <p style="text-align: center;">Council 21/5/2018 Item 31</p>	That the Customer Service Charter be reviewed in the first quarter of 2019 following the implementation of the Council's customer request management system.	Deputy General Manager	Following review, a revised Customer Service Charter is included in a report on this agenda.

Ref	Title	Report / Action	Action Officer	Comments
9.	<p>REVIEW OF PARKING - NORTH HOBART (UPDATE ON ACTIONS)</p> <p>Council 19/2/2018 Item 15</p>	<p>That</p> <ol style="list-style-type: none"> 1. The results of the recent North Hobart parking survey be released to the North Hobart Traders Association and other interested parties for their review and comment, for a period not exceeding 30 days. 2. Following the finalisation of the consultation, a Council workshop open to the public be held to review all data collected and to consider all options, and potential costs, including; <ol style="list-style-type: none"> (a) additional on-street car parking spaces; (b) additional metered parking spaces; (c) development of the Condell Place car park. 	Director City Innovation	<p>The results of the parking survey have been provided to the North Hobart Traders Association and other interested parties. An executive summary has now been prepared to provide more clarity around the information provided. This has also been distributed to the Traders Association.</p> <p>Extensions to the operating hours of the following car parks were approved by Council at its 20 May 2019 meeting:</p> <ol style="list-style-type: none"> (i) Dunn Place hours to extend from 8am – 5pm daily to 8am – 8pm daily; (ii) Salamanca Square Car Park to extend its operational days to include Sundays; and (iii) Condell Place and Lefroy Street Car Parks to extend from 8.30am – 7pm daily to 8.30am – 10pm daily. <p>Parking Officers have commenced patrolling the car parks and restaurant strip of an evening up until 9 pm, where allowable under the current EBA.</p> <p>The time limited parking spaces in Elizabeth Street and surrounding streets were reviewed in order to extend both the operating times and days to match the new enforcement regime.</p> <p>On-street signage updates were completed in February 2019.</p>

Ref	Title	Report / Action	Action Officer	Comments
				In ground sensors were installed in time restricted spaces in Elizabeth Street, between Warwick and Federal Streets in April 2019.
		3. Prior to the conduct of the workshop, the matter be referred back to the Finance and Governance Committee to seek details of further issues it wishes to have pursued by Council Officers for presentation and discussion at the open workshop.		<p>A proposal for the City to lease a property for car parking was approved by Council in December 2018.</p> <p>A project has been initiated within Parking Operations to deliver the outcome. A lease agreement is being prepared with conditions contingent on an assessment by the Tasmanian Planning Commission.</p>
10.	<p>CONDELL PLACE CAR PARK - DEVELOPMENT OPPORTUNITIES AND EOI REQUEST Council, 23/7/2018 Item 17</p> <p>NOTICE OF MOTION CONDELL PLACE CAR PARK - REDEVELOPMENT Council, 23/9/2019 Item 17</p>	That: 1. An urgent report be prepared addressing any issues for the Council immediately pursuing expressions of interest for the redevelopment of the Condell carpark in North Hobart, as per the most recent report to Council (as attached to the agenda for the Finance and Governance Committee meeting held on 17	Deputy General Manager / Director City Planning	The Director City Planning and Deputy General Manager are preparing an urgent report on these matters.

Ref	Title	Report / Action	Action Officer	Comments
		<p>July 2018).</p> <ol style="list-style-type: none"> 2. A further report to also address the broader parking, mobility and smart cities issues and solutions for North Hobart (as per the Council decision of 23 July 2018). 3. The report to consider any other existing report relevant to the development of car parking within the North Hobart precinct. 4. The Council's preferred position be subject to community engagement at the appropriate time. 		
11.	<p style="text-align: center;">OUTSTANDING PARKING DEBT DECEMBER 31, 2017</p> <p style="text-align: center;">Finance and Governance Committee 15/5/18 Item 6.1</p>	<p>That:</p> <ol style="list-style-type: none"> 1. The General Manager investigate owners of vehicles who have at least 3 outstanding infringements of 90 days old having their vehicles clamped. 2. Costs associated with the clamping of vehicles and subsequent recoveries be charged to the owner of the vehicle. 3. A warning be included in the second infringement notice that the Council will clamp vehicles where 3 or more infringements exceeding 90 	Director City Innovation	<p>The City is currently undertaking a review of Parking Operations to inform its future strategy in relation to capacity and any required changes to underlying business, operational and technology services and functions. A strategy for debt collection, including the capacity to clamp vehicles will be included in the review.</p>

Ref	Title	Report / Action	Action Officer	Comments
		The Council consider those proposed infrastructure projects that may be beneficial to the region.		
14.	<p>2019-20 FEES and CHARGES – CITY GOVERNANCE</p> <p>Council, 20/05/2019 Item 26</p>	That a fee structure be investigated for hall and venue hire which represents potential full cost recovery or a percentage thereof.	Deputy General Manager	A revised fee structure will be investigated prior to considering fees and charges for the 2020/21 year.
15.	<p>2019-20 FEES and CHARGES – PARKING OPERATIONS</p> <p>Council, 20/05/2019 Item 27</p> <p>Finance and Governance Committee, 13/08/19 Item 6.3</p>	<p>That investigations be undertaken with appropriate hotel and accommodation establishments for the use of the Council's off street parking facilities outside of normal business hours.</p> <p>That the Finance and Governance Committee note the following nine topical areas to be reviewed by officers within the City Innovation Division, and report back to Council:</p> <p>(a) Early bird parking;</p> <p>(b) Pensioner voucher parking scheme;</p> <p>(c) 90 minute free parking in short term car parks;</p> <p>(d) On-street rates (floating rates);</p> <p>(e) Off-street parking technologies;</p>	Director City Innovation	<p>Reports will be provided on each individual topical area once reviews have been completed.</p>

Ref	Title	Report / Action	Action Officer	Comments
		(f) Hours of operation of car parks; (g) Peripheral parking (commuter shuttle service); (h) Commuter parking in inner city areas; and (i) Off-street, off-peak parking demand management solutions to encourage the spread of shopping and trade, including late night trading and night-shift worker safety.		
16.	COUNCIL POLICY MANUAL REVIEW 2019 Council, 23/09/2019 Item 17	1. A portion of the policy portfolio be reviewed every six months such that all policies are reviewed within a two year period. 2. The Elected Members' Development and Support policy be referred back to committee for further consideration to include investigation of the policy positions of other capital cities with regards international travel.	Deputy General Manager	Complete A report will be provided to the November meeting.

9. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the General Manager or the General Manager's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
 - (i) offer an argument or opinion; or
 - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
 - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
 - (ii) a written response will be provided to all Elected Members, at the appropriate time.
 - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

10. CLOSED PORTION OF THE MEETING

RECOMMENDATION

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal
- proposals for the council to acquire land or an interest in land or for the disposal of land
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council
- the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

The following items are listed for discussion:-

- | | |
|--------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Reports |
| Item No. 4.1 | Contract Extension - Contract No. 5798 - Provision of Mobile Phone Services
LG(MP)R 15(2)(d) |
| Item No. 4.2 | Request to Waive Requirement to Tender - Australia Post PostBillPay Services
LG(MP)R 15(2)(d) |
| Item No. 4.3 | Sale of Land for Unpaid Rates
LG(MP)R 15(2)(f), (g), (i) and (j) |
| Item No. 4.4 | Write-Off of Debts
LG(MP)R 15(2)(g) |
| Item No. 4.5 | Outstanding Sundry Debts as at 30 September 2019
LG(MP)R 15(2)(g) |
| Item No. 4.6 | Remissions of Rates and Charges Granted
LG(MP)R 15(2)(g) |
| Item No. 4.7 | Outstanding Long Term Parking Permit Debts as at 30 September 2019
LG(MP)R 15(2)(g) |
| Item No. 5 | Committee Action Status Report |
| Item No. 5.1 | Committee Actions - Status Report
LG(MP)R 15(2)(a), (c)(i), (f), (i), (j) and e(ii) |
| Item No. 6 | Questions Without Notice |