



CITY OF HOBART

AGENDA

OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 11 NOVEMBER 2024
AT 4.00 PM



THE MISSION

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

OUR VALUES

THE COUNCIL IS:

PEOPLE

We care about people – our community, 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.

VISION

OUR VISION, MISSION AND VALUES HOBART: A COMMUNITY VISION FOR OUR ISLAND CAPITAL

Hobart breathes.

Connections between nature, history, culture, businesses and each other are the heart of our city

We are brave and caring.

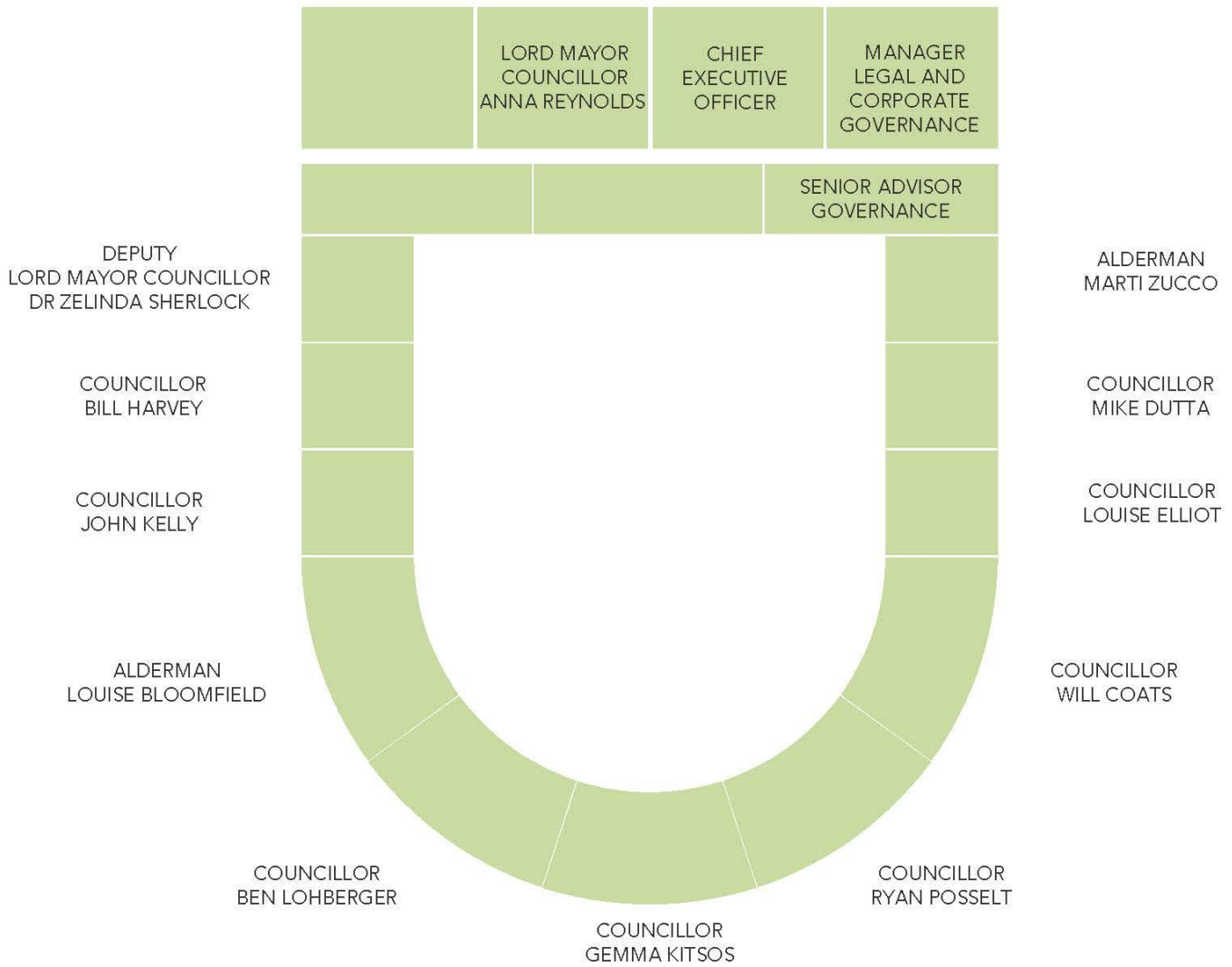
We resist mediocrity and sameness.

As we grow, we remember what makes this place special.

We walk in the fresh air between all the best things in life.



City of **HOBART**



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A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 11 NOVEMBER 2024 AT 4.00 PM.

**Michael Stretton
Chief Executive Officer**

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

ELECTED MEMBERS:

Lord Mayor A M Reynolds
Deputy Lord Mayor Z E Sherlock
Alderman M Zucco
Councillor W F Harvey
Councillor M S C Dutta
Councillor J L Kelly
Councillor L M Elliot
Alderman L A Bloomfield
Councillor R J Posselt
Councillor B Lohberger
Councillor W N S Coats
Councillor G H Kitsos

APOLOGIES:

LEAVE OF ABSENCE: Nil.

1. ACKNOWLEDGEMENT OF COUNTRY

2. CONFIRMATION OF MINUTES

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 14 October 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

3. TRANSFER OF AGENDA ITEMS

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

4. COMMUNICATION FROM THE CHAIRPERSON

5. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that the following workshops have been conducted since the last ordinary meeting of the Council.

Date: Monday, 21 October 2024
Purpose: Briefing by Enterprize | Fire Season Preparedness | Risk Management Framework and Risk Appetite Review | 2023-2024 Financial Statements

Attending:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor Z Sherlock, Councillors B Harvey, M Dutta, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt, W Coats, and G Kitsos.

Apologies:

Alderman M Zucco, Councillor B Lohberger.

Date: Monday, 4 November 2024
Purpose: kunanyi / Mt Wellington Strategic Review | Macquarie Point Multipurpose Stadium | West Hobart Local Area Mobility Plan

Attending:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor Z Sherlock, Councillors B Harvey, M Dutta, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt, B Lohberger, and G Kitsos.

6. PUBLIC QUESTION TIME

Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 16/119-001

6.1 Public Questions

6.2 Responses to Public Questions Taken On Notice

“In accordance with the procedures approved in respect to Public Questions Time, the following responses to questions taken on notice are provided to the Council for information.

The Council is reminded that in accordance with Regulation 31(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.”

6.2.1 Plan B - Media Launch **File Ref: F24/96271; 16/119-001**

Response of the Director City Futures of 6 November 2024.

RECOMMENDATION

That the following responses to public questions taken on notice, be received and noted.

Meeting date: 16/09/2024
Raised by: Mr Chris Merridew
Response Author: Director City Futures
Topic: **PLAN B - MEDIA LAUNCH**

Question 1

Why is the plan B proposal recently reported in the Mercury not being applied to the Collins Street proposal which is before the Council this evening?

Question 2

It is well known that the motor industry has spent millions of dollars to try and clean up emissions at idle. If more traffic is bottle necked in Collins Street you will increase the pollution, why is there no recognition of environmental pollution issues which shall be magnified by this Collins Street development?

Question 3

Collins Street under a plan B interpretation would be an excellent feeder to the three Council car parks and for traffic that wishes to go off Macquarie Street and use Harrington and Argyle Streets to the north and stay clear of Macquarie Street?

Response:

The 'plan B' media campaign which you are referring to is the 'B Streets' of Barrack, Bathurst and Brisbane Street receiving traffic priority in the afternoon peak. This has been a collaborative effort between the State Government and Council as part of the development of the Inner Hobart Transport Network Operations Plan (TNOP) (<https://www.hobartcity.com.au/Council/Strategies-and-plans/Inner-Hobart-Transport-Network-Operations-Plan>).

The issue of increase idling and the added pollution is a difficult one to quantify as our aim is to provide for the option for more people to ride rather than drive if they so wish and the transition to clean vehicle emissions will continue to accelerate over time. It is not envisaged that the Collins Street proposal will result in an increase in environmental emissions.

Under the TNOP, and supported by various other Council endorsed strategic documents including the Central Hobart Plan and the Inner City Action Plan, Collins Street has been designated a strategic cycling corridor. Further, Collins Street will have lower priority for through traffic movement, while maintaining access to important facilities that use Collins Street for egress such as Centrepont Car Park. For further information about the Collins St project, please visit our project page - <https://www.hobartcity.com.au/Projects/Current-projects/Transforming-Collins-Street>

7. PETITIONS

8. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Elected Members 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.

OFFICER REPORTS

10. Macquarie Point Multipurpose Stadium Project of State Significance – Integrated Assessment Notification and Consultation Request File Ref: F24/87173; 24/13

Report of the Manager Land Use and Development Planning and the Director City Futures of 6 November 2024 and attachments.

Delegation: Council

**REPORT TITLE: MACQUARIE POINT MULTIPURPOSE STADIUM
PROJECT OF STATE SIGNIFICANCE – INTEGRATED
ASSESSMENT NOTIFICATION AND CONSULTATION
REQUEST**

REPORT PROVIDED BY: Manager Land Use and Development Planning
Director City Futures

1. Report Summary

- 1.1. Pursuant to Section 21(1) of the *State Policies and Projects Act 1993* (the Act), the Tasmanian Planning Commission ('the Commission') has formally notified Hobart City Council that the Commission is undertaking an integrated assessment of the Macquarie Point Multipurpose Stadium (the project).
- 1.2. Under section 21(2) of the Act, the Council has 28 days from the date of the letter (25 September 2024) to provide the Commission with a submission setting out its views in relation to the project. The 28-day period expires on **23 October 2024**, however Council sought an extension and was granted an extension until 12 November 2024.
- 1.3. The City of Hobart, whilst not the planning authority for the Macquarie Point Multipurpose Stadium (the stadium), is the planning authority within and around the Macquarie Point Precinct. The Council will recall at its meeting of the 27 November 2023 endorsed a submission on the Draft Macquarie Point Precinct Plan that was subsequently submitted to Macquarie Point Development Corporation (MPDC).
- 1.4. In its capacity as the *council of the municipality*, as stated in the Act, and as an adjacent landowner, the City has advised the Commission in the draft response letter dated 12 November 2024 (Attachment A) that in order to form a view on the project, more time is required to fully review and assess the application.

2. Key Issues

- 2.1. Council's response letter highlights the following key issues:
 - 2.1.1. Council asserts that in order to form a view on the project, requires more time to fully review and assess the application.
 - 2.1.2. Council notes that there are several essential infrastructure projects that have been excluded from the application.
 - 2.1.3. Council notes that in order to meet its responsibilities and undertake a due diligence assessment, requests the following;

- a) A 3D CAD model to analyse the visual impacts of the proposal.
- b) The City's premier entrance gateway (view from the intersection of Brooker Highway and Tasman Highway) to be included as part of the Visual Impact Assessment.
- c) 3D CAD views of the Northwest Plaza (to the same level of detail provide for the other entrance plazas) area to ascertain the urban design qualities and visual impacts of the proposal on the premier entrance gateway into the City and the potential impacts on the State Heritage listed Royal Engineers Building.
- d) Further details on how the cricket wickets intersect with the stadium structure. The existing cross-section provided does not show the junction (Section 8, page 17, Urban Design Framework).
- e) More detail regarding how the proposed budget for Public Art will deliver three to four projects as stated in Appendix NN Public Art Strategy.
- f) Appendix N Transport Study states that if the Collins Street Active Travel Bridge is not constructed, two lanes of Davey Street would need to be closed to traffic in order for pedestrians to safely transit to and from the precinct during major events. The reduction of Davey Street to one lane will have major impacts to the transport network of Greater Hobart. We urgently advise the Commission to seek clarity from the Government as to how network will function if the bridge is not included in the application.
- g) Council acknowledges that the *List of Proposed Conditions* (Appendix 2.0) lodged with the application, includes Heritage Conditions (Schedule B) that specify a Conservation Management Plan (CMP) for the Goods Shed and the Red Shed by submitted to and approved by the Minister in consultation with Heritage Tasmania. However, the Goods Shed is of State significance and is the subject of an existing Conservation Management Plan (CMP) prepared in 2021, which provides for its conservation and adaptation in its current location. It is proposed that it would be relocated and adapted, in accordance with a new CMP. Insofar as a new CMP may be warranted and appropriate, given that the proposed action is directly contrary to the policy provisions of the existing CMP, the new CMP should be prepared now (and not as a subsequent implementation action), so that it can properly inform decision-making regarding the project.

- h) Furthermore, in view of the nature of the Goods Shed, and its historic composite structure, including evidence of use and changes over time, the application should include a detailed methodology and construction plan which shows that re-location is possible and precisely how it would be undertaken.
- i) Similarly, in relation to the Red Shed, insofar as a new CMP is proposed and decisions are yet to be made about its potential retention / relocation, all of those processes should be completed now, so that it can properly inform decision-making regarding the project.
- j) The historical archaeology report (Appendix M: Draft Macquarie Point Stadium Historical Archaeological Assessment, Archaeological Sensitivity Report and Archaeological Method Statement) is not fit for purpose in its current form as it lacks clarity as to archaeological assessment, potential impacts and appears to minimise archaeological requirements. Noting that this report is still in 'draft' stage, suggests that some more focused work is needed which clearly and strategically presents the historic landform and use, interventions like cut and fill, areas of disturbance, and a resolved archaeological zoning plan which shows where proactive archaeological investigations, monitoring or no action are warranted and proposed.
- k) More detail regarding spectral information for adjacent sensitive uses, such as low frequency sound, indoor sound levels or existing background sound that provides a more comprehensive understandings of the noise impacts that the project may generate once in operation and during construction.
- l) And finally, it is noted the 'Aboriginal Culturally Informed Zone', to the northwest of the stadium, will be informed by a separate co-design process with the Tasmanian Aboriginal Community. However, the reduction in size of the Aboriginal Culturally Informed Zone in the Mac Point Precinct Plan (Appendix JJ) from the draft precinct plan (October 2023) appears to be a lost opportunity and is of concern to Council. Council seeks further justification from the applicant regarding the reduction in size of this area.

2.2. We have also advised the Commission in the response letter that Council has engaged a number of subject matter experts to peer review selected technical reports and expects to prepare its Section 21(2) views in the relation to the project, at the completion of this process.

3. Recommendation

That:

- 1. The Council note and endorse the attached response letter (Attachment A) in relation to Council setting out its views per Section 21(2) of the State Policies and Projects Act 1993 for the Macquarie Point Multipurpose Stadium Project of State Significance.***
- 2. The Council notes the Section 22 of the State Policies and Projects Act, consultation request from the Tasmanian Planning Commission to Council for the Macquarie Point Multipurpose Stadium Project of State Significance in letter dated 25 September 2024 (Attachment B).***

4. Background

- 4.1. In December 2022, the Tasmanian Government announced \$375 million in funding for a proposed stadium, this was followed by an announcement from the Australian Football League (AFL) that they would fund \$15 million toward the proposed stadium project.
- 4.2. In the May 2023 Budget, the Australian Government committed \$240 million towards an urban renewal project at Macquarie Point including social housing and essential health worker housing on Crown land at the Hobart Regatta Grounds; as well as commercial and recreation spaces on the site.
- 4.3. The remaining \$85 million for the estimated \$715 million proposed development is projected to come from residential, recreational and commercial activity associated with the site.
- 4.4. In response to the range of changes and growth influencing Macquarie Point and the Inner North-East area of the City, the Council identified the need to prepare a structure plan, namely the Inner North East Neighbourhood Plan (INENP).
- 4.5. On 21 October 2023, the MPDC released the Mac Point Draft Precinct Plan for public comment and Council prepared a detailed submission that was endorsed by Council at the 27 November 2023 Council Meeting.
- 4.6. The development of the stadium was declared a Project of State Significance by order (the order) of the Governor and approved by both Houses of the Tasmanian Parliament on 8 November 2023 and took effect on 9 November 2023. Under the order, the proposal for a stadium to be developed includes:
 - (a) a stadium that is suitable for a range of entertainment, sporting, cultural, corporate and community uses;
 - (b) the related infrastructure and services necessary to support the stadium and its operations;
 - (c) a public concourse adjacent to the stadium; and
 - (d) any other facility or thing necessary, or convenient, for the implementation of the project.
- 4.7. A Ministerial Direction from the Premier dated 16 October 2023 directs the Commission to undertake an integrated assessment of the Macquarie Point Multipurpose Stadium project in accordance with the *State Policies and Projects Act 1993* (the Act).
- 4.8. On 4 December 2023, the Commission released the Draft Guidelines for public comment and Council prepared a detailed submission in

response which was endorsed by Council at the 20 December 2023 Special Council Meeting.

- 4.9. On 16 February 2024 the Commission released the finalised Guidelines.
- 4.10. On 17 September 2024, the Commission received the proponent's reports in response to the Guidelines. The Commission henceforth commenced the integrated assessment of the project. The Commission must prepare its integrated assessment report within 12 months of the submission date, or such later date as the Minister may direct in writing. The Commission is required to consult with Hobart City Council and identified agencies with an interest in the project in relation to the preparation of the draft integrated assessment report.
- 4.11. On 25 September 2024 Council received the Section 21(1) Notice and Section 22 of the Act consultation request. Council commences its review of the application documentation.

5. Legal, Risk and Legislative Considerations

- 5.1. The following is provided as context in relation to the assessment of the project and the legislated scope for the City's involvement in the assessment process.
 - 5.1.1. Council's role is set out in *State Policies and Projects Act 1993*.
 - 5.1.2. Notwithstanding the above, Council questions the application's compliance with the Governor's order dated 9 November 2023 which states the proposal for the stadium should include *(b) the related infrastructure and services necessary to support the stadium and its operations*. This is primarily due to the exclusion of the Northern Access Road, Collins Street Active Travel Bridge, bus plaza and other related infrastructure upgrades from the application.
 - 5.1.3. Therefore, Council requests the Commission, as a priority, clarifies if the application contravenes the Governor's order due to the omission of the Northern Access Road, Collins Street Active Travel Bridge, bus plaza and other related infrastructure upgrades from the application.

6. Discussion

- 6.1. Following the publication of the draft integrated assessment report, Council will review and prepare a representation in accordance with Section 22 and 23 of the Act.
- 6.2. In the event, that representations are made, including Councils, the Commission must consider the representations. To that end, it may conduct a hearing, which will be governed by the provisions of Part 3 of the *Tasmanian Planning Commission Act 1997*.

- 6.3. If there is a hearing, directions will be made by the Commission as to the orderly and fair conduct of it. That will include a requirement for any person who wishes to give or to call evidence to the Commission at the hearing to disclose in writing the nature of such evidence some time prior to the hearing, and to make that available to any other person who seeks to be heard at the hearing.
- 6.4. The Commission will then make any necessary modifications to draft integrated assessment report as informed by its consideration of the representations including hearing(s).
- 6.5. The Commission will then prepare the report required by section 26(1) of the Act and present it to the Minister.
- 6.6. It is expected that Council will resume the preparation of the INE Neighbourhood Plan after the project's assessment process is complete.

7. Hobart: A Community Vision For Our Island Capital

- 7.1. The project has strong linkages to the Community Vision Pillars, particularly:
 - Sense of Place
 - Creativity and Culture
 - City Economies
 - Movement and Connectivity
 - Built Environment
 - Governance and Civic Involvement

8. Capital City Strategic Plan

- 8.1. The INEP and the City's involvement in the assessment process for the project will contribute to achieving some of the strategic outcomes contained in the Capital City Strategic Plan 2023.

The Capital City Strategic Plan 2023 elaborates on how the Pillars set out in *Hobart: A community vision for our island capital* can be achieved. While a neighbourhood plan will have many "touchpoints" with the strategic outcomes within the Plan, the key strategic outcomes that have particular relevance include:

8.1.1. Pillar 1. Sense of Place

Outcome: 1.1 Hobart keeps a strong sense of place and identity, even as the city changes.

Outcome: 1.2 Hobart's cityscape reflects the heritage, culture and natural environment that make it special.

8.1.2. Pillar 2. Community Inclusion, Participation and Belonging

Outcome: 2.1 Hobart is a place that recognises and celebrates Tasmanian Aboriginal people, history and culture, working together towards shared goals.

Outcome: 2.3 Hobart communities are active, have good health and wellbeing and engaged in lifelong learning.

Outcome: 2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.

8.1.3. Pillar 3. Creativity and Culture

Outcome: 3.1 Hobart is a creative and cultural capital where creativity is a way of life.

Outcome: 3.4 Civic and heritage spaces support creativity, resulting in a vibrant public realm.

8.1.4. Pillar 4. City Economies

Outcome: 4.1 Hobart's economy reflects its unique environment, culture and identity.

Outcome: 4.4 Hobart's economy is strong, diverse and resilient.

8.1.5. Pillar 5. Movement and Connectivity

Outcome: 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

Outcome: 5.2 Hobart has effective and environmentally sustainable transport systems.

Outcome: 5.4 Data informs decision-making.

8.1.6. Pillar 6. Natural Environment

Outcome: 6.1 The natural environment is part of the city and biodiversity is preserved, secure and flourishing.

Outcome: 6.3 Hobart is a city with renewable and ecologically sustainable energy, waste and water systems.

Outcome: 6.4 Hobart is a leader on climate change moving toward a zero emissions and climate-resilient city.

Outcome: 6.5 Hobart's bushland, parks and reserves are places for sport, recreation and play.

8.1.7. Pillar 7. Built Environment

Outcome: 7.1 Hobart has a diverse supply of housing and affordable homes.

Outcome: 7.2 Development enhances Hobart's unique identity, human scale and built heritage.

Outcome: 7.3 Infrastructure and services are planned, managed and maintained to provide for community wellbeing.

Outcome: 7.4 Community involvement and an understanding of future needs help guide changes to Hobart's built environment.

8.1.8. Pillar 8. Governance and Civic Involvement

Outcome: 8.1 Hobart is a city that is well governed that recognises the community as an active partner that informs decisions.

9. Regional, State and National Plans and Policies

9.1. There are a number of relevant plans and policies in place which support the aspirations of the stadium and the INENP, including:

- The 30-Year Greater Hobart Plan: Strategy for Growth and Change 2022
- Hobart City Deal Implementation Plan
- Central Hobart Plan 2023
- Northern Suburbs Transit Corridor Transport Mode Study
- Tasmanian Antarctic Gateway Strategy

10. Financial Viability

10.1. Funding Source and Impact on Current Year Operating Result

10.1.1. Funding for the review of the application has been allocated within the 2023-24 budget.

10.2. Impact on Future Years' Financial Result

10.2.1. Whilst the planning assessment of the stadium has been declared a project of state significance, it is unclear at this stage, what additional planning applications will be submitted for related infrastructure and for the wider precinct and when they may be lodged in the coming year(s). Relevant Council Divisions will continue their proactive approach and continue to liaison with relevant Government agencies to ensure Council

can review and act promptly as financial implications arise whether they be positive or negative.

10.3. Asset Related Implications

10.3.1. As stated in the Mac Point Draft Precinct Plan Council submission (dated 29 November 2023), the significant investment in City infrastructure required to support the stadium and surrounding precinct on an everyday basis and in 'event' mode will require careful planning as well as capital investment. Council will continue its review of asset related implications across this financial year and into the future as required.

11. Sustainability Considerations

- 11.1. As stated in the Council submission, Climate risk and vulnerability assessment should be undertaken to adequately plan and prepare for extreme weather events, sea level rise and other climate-related shocks.
- 11.2. In addition to respond to the global climate and biodiversity emergency for current and future generations, the City of Hobart is committed to leading on climate change by moving toward a zero emissions and climate-resilient future with our community. Any development should aim to support the City of Hobart's goal of moving toward a zero emissions and climate resilient city.
- 11.3. Furthermore, the issues of responding to climate change risks and encouraging more sustainable forms of development and transport systems will be key themes in the INENP.

12. Community Engagement

- 12.1. As the project is being assessed by the Commission, the community have been instructed to direct their enquiries and submissions to the Commission. However, Council has set up a dedicated email address and web page for community members to reach out should they seek clarification on Council's role in the assessment process or if they have questions related to the wider precinct plan (which is not currently being assessed).
- 12.2. Notwithstanding the above, given the significance of the Inner North East neighbourhood, the City will undertake wide and extensive community engagement including, but not limited to, First Nations people, youth, the arts and culture sector, the tourism industry, retail and food and beverage industries during the development of the INEP and will continue to engage with the MPDC and other related Government agencies such as TasPorts during the development of the stadium and wider precinct.

13. Communications Strategy

- 13.1. Council will continue to encourage MPDC to engage with key stakeholders, land owners and the wider community.
- 13.2. A comprehensive communications strategy will be developed for the INENP once this project recommences.

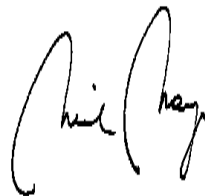
14. Collaboration

- 14.1. Council will continue to engage with the Commission, the MPDC and other key Government agencies as the stadium and wider precinct plan continues to be developed.
- 14.2. An essential component of the INENP will be the collaboration between key stakeholders, including, but not limited to, the Australian and Tasmanian Governments, the Macquarie Point Development Corporation, TasPorts, the Australian Antarctic Division, the Royal Hobart Regatta Association and the Returned Services League.

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.




Jennifer Lawley
**MANAGER LAND USE AND
DEVELOPMENT PLANNING**



Neil Noye
DIRECTOR CITY FUTURES

Date: 6 November 2024
File Reference: F24/87173; 24/13

Attachment A: 21-2 TPC Poss Response Letter - Draft (Supporting information) 

Attachment B: TPC Notification and consultation request letter to HCC (Supporting information) 

11. Stormwater System Management Plan
File Ref: F24/29996

Report of the Manager Waterways and the Acting Director City Life of
6 November 2024 and attachment.

Delegation: Council

REPORT TITLE: STORMWATER SYSTEM MANAGEMENT PLAN**REPORT PROVIDED BY:** Manager Waterways
Acting Director City Life**1. Report Summary**

- 1.1. The *Urban Drainage Act 2013 (UDA)* requires councils to develop a stormwater system management plan to ensure appropriate knowledge and management of the public stormwater system for the community.
- 1.2. A proposed Stormwater System Management Plan (**SSMP**) is at Attachment A, for consideration and endorsement by the Council.
- 1.3. The City is undertaking a comprehensive study of flood risk through the Integrated Hazard Vulnerability Assessment Project, which is partly funded through the Federal Government's Disaster Ready Fund (**DRF**). It is proposed the Stormwater System Management is revised following completion of this project.

2. Key Issues

- 2.1. The UDA requires the Council to provide for "such public stormwater systems as may be necessary to effectively drain the urban area of the council's municipal area": section 5(1) of the UDA.
- 2.2. The public stormwater system includes the minor and major stormwater networks. The minor network manages nuisance flow and consists of the underground network, the major system purpose is to minimise the impact of floods and consist of major overland flow paths such as road sand Rivulets as well as large trunk drainage pipes.
- 2.3. The public stormwater system also includes infrastructure (green and grey) used to treat the stormwater and clear it of pollutants.
- 2.4. The purpose of a stormwater system management plan is to "ensure an appropriate level of understanding and management of the flood risk and public" (LGAT, *Stormwater System Management Planning A Guide For Local Government*).
- 2.5. It is important to note the various challenges with managing stormwater within a city like Hobart, between kunanyi / Mount Wellington and the Derwent River. Many areas are prone to flash flooding and the centre of the city is susceptible to flooding, as we saw in May 2018.
- 2.6. Historic infrastructure and planning decisions impact the flood risk of the municipality.
- 2.7. Recent climate change factor updates indicate that the volume of rain that falls in flood events will increase, causing associated floods to be more severe and more frequent events to become more severe.

- 2.8. Councils currently aims for a piped network that carries a “1 in 20” year Annual Recurrence Interval (5% Annual Exceedance Probability) – it may be impossible to continue this aspirational standard under current climate factors.
- 2.9. The proposed SSMP is a formal record of the management of the public stormwater system as a preliminary step, informed by the current flood modelling which has been undertaken to date. A significant body of work is currently being undertaken to prepare flood maps for the municipality of Hobart, under the Integrated Hazard Vulnerability Assessment Project. This body of work is anticipated to be completed within 3 years. The flood mapping will nest within statewide flood mapping being done by the SES and will be integrated with coastal inundation mapping. Once this body of work has been completed, we will update the SSMP.

3. **Recommendation**

That:

1. ***The City adopt the Stormwater System Management Plan as required by the section 10 of the Urban Drainage Act 2013, which is comprised of the document marked as Attachment A to this report.***
2. ***A review of the Stormwater System Management Plan be completed using the most up to date information available, once the Council’s flood mapping is updated.***

4. **Background**

- 4.1. The *Urban Drainage Act 2013 (UDA)* requires that each Tasmanian Council develops a stormwater system management plan for the urban areas within their municipalities.
- 4.2. Section 10 of the UDA specifies that a stormwater system management plan must address the following:
 - (a) *plans for the management of any assets used for the delivery of a stormwater service;*
 - (b) *the level of risk from flooding for each urban stormwater catchment in the public stormwater system; and*
 - (c) *any other matters prescribed in the regulations or that the council considers appropriate.*
- 4.3. The purpose of the requirement of councils to develop a stormwater system management plan is to “ensure an appropriate level of understanding and management of the flood risk and public” (LGAT, *Stormwater System Management Planning A Guide For Local Government*).

- 4.4. The City has previously adopted the *Stormwater Strategy 2012-2017* in December 2012. Information in this Strategy satisfies the requirements in subsections 10(2)(a) and (c) of the UDA.
- 4.5. The City has a history of undertaking flood analysis and reporting to understand the impacts due to flooding within the municipality, some of these significant reports are:
- Report on Protection Against Flooding From The Hobart Rivulet, June 1963;
 - Report on Flooding of Rivulets, 1971;
 - Hobart Rivulet Flood Study, September 1997;
 - New Town Rivulet Flood Study, January 1998;
 - Sandy Bay Rivulet Flood Study, March 1999;
 - New Town Flood Study: Extension to Include Maypole Creek and Brushy Creek, August 1999;
 - Maypole Rivulet Flood Study, May 2008;
 - Hobart Rivulet: Extension of Flood Modelling Addendum to 1997;
 - Hobart Rivulet Flood Study, June 2010;
 - Sandy Bay Rivulet Flood Study, December 2013;
 - Hobart Rivulet Flood Study, February 2014;
 - New Town Rivulet Flood Studies, 2015-2019;
 - Greater New Town Catchment Flood Hazard Study, October 2019;
 - Greater Hobart Catchment Flood Hazard Study, October 2019; and
 - Central Hobart Precinct Flood Study, January 2023.
- 4.6. Formally endorsing the SSMP will ensure the City is complying with the requirements of the UDA.
- 4.7. The City is undertaking detailed stormwater and flood modelling to inform to assess hazard vulnerability as part of the City Integrated Hazard Assessment Project within the municipality, this SSMP will be updated with the results of this project following its completion in 2027.

5. Legal, Risk and Legislative Considerations

- 5.1. The City of Hobart's SSMP has been developed to comply with section 10 of the UDA.

“(1) A Council must develop a stormwater system management plan for the urban area of its municipal area- within 6 years after the day on which this Act commences.

(2) A stormwater system management plan is to specify –

(a) plans for the management of any assets used for the delivery of a stormwater service; and

(b) the level of risk from flooding for each urban stormwater catchment in the public stormwater system; and

(c) any other matters prescribed in the regulations or that the council considers appropriate.”

- 5.2. The City of Hobart also maintains maps of its stormwater network as required under section 12 of the UDA, which are publicly available via the website. The UDA states:

“A council that provides stormwater services must maintain and make publicly available maps showing all public stormwater systems within the urban area of its municipal area, including those portions of waterways that have a primary role in transporting stormwater.”

- 5.3. City of Hobart has an Asset Management Plan for stormwater written in 2020 that will be updated in the next financial year. This Asset Management Plan *“details information about infrastructure assets and actions required to provide an acceptable level of service in the most cost-effective manner while outlining associated risks.”*

6. Discussion

- 6.1. Eleven plans have been created to cover the 24 major sub-catchments of the municipality. Those have informed this report and the attached Stormwater System Management plan. These plans are as follows:

- Catchment 1 - CBD & Sullivans Cove
- Catchment 2 - Goulburn & South Hobart
- Catchment 3 - Providence, Warwick & Park
- Catchment 4 - Greater New Town
- Catchment 5 - Lambert
- Catchment 6 - McRobies
- Catchment 7 - St Canice, Wayne, Folder, Cartwright
- Catchment 8 - Waimea, Manning & Red Chapel
- Catchment 9 - Lipscombe
- Catchment 10 - University & Proctors
- Catchment 11 - Wellington & Ashfield.

- 6.2. The purpose of this Stormwater System Management Plan (SSMP) is to meet the requirements of section 10 of the *Urban Drainage Act 2013* and identify the current state of the City of Hobart’s stormwater system and future concerns and directions.

- 6.3. The development of the SSMP involved high level flood modelling to identify areas susceptible to flood risk. This information was used to identify flood risks via mapping and inform outcomes.

- 6.4. Further modelling and planning will be undertaken over the next three years as part of the Integrated Hazard Assessment Project City of Hobart is currently undertaking. This SSMP will be updated from the findings of the project.

7. Capital City Strategic Plan

7.1. The SSMP addresses the key strategic pillars including:

- (a) **Outcome 7.3 - Infrastructure and services are planned, managed, and maintained to provide for community wellbeing.**

The SSMP provides strategic plans to best inform decision making for providing stormwater services to the community by prioritising on risk and vulnerability.

- (b) **Outcome 6.1 - The natural environment is part of the city and biodiversity is conserved, secure and flourishing.**

The SSMP provide priorities to strategic outcome of how the City is to prioritise the management of stormwater quality to ensure the receiving environment impacts are minimised. This is done though built infrastructure, environmental management and enforcement.

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

- (a) No financial support is required to implement the SSMP.

8.2. Impact on Future Years' Financial Result

- (a) No funding is being sort for future years.

8.3. Asset Related Implications

- (a) No asset implications are expected as actions from the SSMP will be on hold until updated data is provided through the City Integral Hazard Assessment Project.

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 Wilson
MANAGER WATERWAYS



Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 6 November 2024

File Reference: F24/29996

Attachment A: Stormwater System Management Plan (Supporting information)



12. State Coastal Policy Submission
File Ref: F24/90452

Report of the Manager Land Use and Development Planning and the Director City Futures of 28 October 2024 and attachment.

Delegation: Council

REPORT TITLE: STATE COASTAL POLICY SUBMISSION**REPORT PROVIDED BY:** Manager Land Use and Development Planning
Director City Futures**1. Report Summary**

- 1.1. The State Planning Office (SPO) has invited submissions on the *Review of the State Coastal Policy – Development of Actively Mobile Landforms*. This report has been provided for Council consideration on a draft submission included in **Attachment A** to the review.
- 1.2. This report provides Council with the background context of this State Government policy review of the State Coastal Policy (SCP) and outlines the circumstances in which this review is being undertaken at this time.
- 1.3. The City generally supports the intent of the proposed amendments to improve the clarity of language in the SCP given the widespread confusion and recent legal challenges in interpreting the application of this policy.
- 1.4. Should the SCP be amended, the City would support relevant amendments to be reflected in the State Planning Provisions to achieve consistency in wording.

2. Key Issues

- 2.1. The attached submission was provided to the SPO on 21 October 2024 to meet the cut-off date for submissions. The submission specified that it had been prepared at an officer level.
- 2.2. The key issues raised in this report are that:
 - 2.2.1. the catalyst for this policy reform is the recent approval of the Robbins Island windfarm (and associated wharf infrastructure) by the Tasmanian Civil and Administrative Tribunal (TasCAT) and the subsequent drafting of the *Validation (State Coastal Policy) Bill 2024*.
 - 2.2.2. the proposed policy shift from a 'blanket prohibition' to a risk-based approach to managing coastal processes and hazards such as flooding, storms, erosion, landslip and sea level rise is supported.
 - 2.2.3. strong support is offered for improving the definition of 'actively mobile landform' given the difficulty in defining and mapping the spatial extent of environmental processes that are by definition dynamic.

- 2.2.4. the current wording of SCP leads to problematic and ambiguous planning outcomes and legal uncertainty with regard to managing environmental hazards.
- 2.2.5. there are various technical issues related to the interpretation of Outcomes 1.4.1 and 1.4.2 of the SCP that are evident in the Tasmanian Planning Scheme – State Planning Provision Clause 4.0.2.

3. **Recommendation**

That the Council endorse the submission to the State Planning Office regarding the Review of the State Coastal Policy – Development of Actively Mobile Landforms, marked as Attachment A.

4. **Background**

- 4.1. In recent months the way that the SCP has been applied with respect to development on actively mobile landforms has come under question. The recent approval of the Robbins Island windfarm (more specifically the wharf required for the construction of the windfarm) by the Tasmanian Civil and Administrative Tribunal (TasCAT) has raised questions around the manner in which the SCP has been previously applied in relation to Outcome 1.4.2 of the SCP. That Outcome prohibits all development on actively mobile land unless it is for a purpose provided for under Outcome 1.4.1 (which relates to the protection of land, property and human life).
- 4.2. The location of the wharf and wharf infrastructure on Robbins Island was considered and approved by the Circular Head Council and the Tasmanian Civil and Administrative Tribunal.
- 4.3. The ongoing concerns that have been identified by the SPO with the operation of the current SCP are compounded by there being no definitive description of an 'actively mobile landform' or any accepted map of their location. Tasmania has numerous developments that might be on actively mobile landforms which provide access, recreation, and help conserve areas of fragile environment. These range from boardwalks through the dunes, fencing, lookouts, boat launching facilities, bridges, jetties, and even golf courses.
- 4.4. The State Government subsequently released the *Validation (State Coastal Policy) Bill 2024* for consultation from 16 July to 1 August 2024.
- 4.5. The draft Bill seeks to validate previous permits issued under the Land Use Planning and Approvals Act 1993 (LUPA) until the date of the commencement of the proposed legislation. It also ensures that no action can be taken against individuals or organisations that have acted in line with permits issued under LUPA.

- 4.6. This validating legislation is a separate process to this proposed amendment to the State Coastal Policy and is mentioned as context to understand the circumstances in which the policy changes have been initiated.
- 4.7. Due to the more substantial and robust measures that have been introduced to manage environmental risks through the Tasmanian Planning Scheme (TPS), there is an argument that the SCP be updated to include more contemporary planning controls for actively mobile land on the coast.
- 4.8. Outcome 1.4.2 of the SCP contains a self-regulating prohibition of all development and works on 'actively mobile landforms', other than for engineering or remediation works to protect land, property and human life.
- 4.9. The submission prepared by the City is confined to the parameters of the Position Paper which explores more sophisticated policy responses to manage environmental hazards and to clarify what comprises an 'actively mobile landform'.

5. Legal, Risk and Legislative Considerations

- 5.1. An amendment to a State Policy is governed by section 15A of the *State Policies and Projects Act 1993 (the SPP Act)*. Section 15A also refers to section 12 that allows a draft amendment to the State Policy to become an Interim State Policy having immediate effect if approved by the Governor.
- 5.2. Under the SPP Act, the process outlines that the Minister may approve the draft amendment and direct the Tasmanian Planning Commission (TPC) to undertake an assessment of the draft amendment, including a public exhibition process.
- 5.3. The TPC provides a report on the draft amendment to the Minister who may then decide whether to recommend that the Governor makes the amended SCP. If the Governor makes the amended Policy, it does not come into effect until it has been approved by both Houses of Parliament.

6. Discussion

- 6.1. The City has made a submission to the SPO regarding the issues canvassed in the *Position Paper - Review of the State Coastal Policy - Development on Actively Mobile Landforms*. The key issues raised are:
 - 6.1.1. The application of the SCP and relevant planning instruments that regulate development in the coastal zone in the Hobart LGA relate to a 17km stretch of shoreline along the Derwent River estuary.

- 6.1.2. In principle, the City agrees with the intention articulated in the Position Paper, that a risk-based approach is a more contemporary mechanism to regulate and manage development on land subject to dynamic environmental hazards, compared with the 'self-executing prohibition' currently in place in Outcomes 1.4.1 and 1.4.2 of the SCP.
- 6.1.3. The City agrees that the current wording of the SCP leads to problematic and ambiguous planning outcomes and legal uncertainty with regard to managing environmental risks.
- 6.1.4. It is recommended that the language be unequivocal. For example, the proposed use of the term 'tolerable level of risk' is ambiguous and open to interpretation.
- 6.1.5. the City supports performance-based planning and agrees that a blanket prohibition on all development on actively mobile landforms (AMLs) is inappropriate.
- 6.1.6. It is posited that some development should be considered and approved where hazard and environmental considerations have been appropriately addressed and the benefit of the development justified.
- 6.1.7. The City advocates for the TPS to be amended once the proposed changes to the SCP come into effect so as to accurately reflect and be consistent with any changes.

7. Hobart: A Community Vision For Our Island Capital

- 7.1. The project has strong linkages to the Community Vision Pillars, particularly:
 - Sense of Place
 - Creativity and Culture
 - City Economies
 - Movement and Connectivity
 - Built Environment
 - Governance and Civic Involvement

8. Capital City Strategic Plan

- 8.1. The relevance of the State Coastal Policy and planning instruments that regulate development along in the Hobart LGA's coastal zone have a strong correlation with the following Pillars:
 - 8.1.1. Pillar 6. Natural Environment

Outcome: 6.1 The natural environment is part of the city and biodiversity is preserved, secure and flourishing.

Outcome: 6.3 Hobart is a city with renewable and ecologically sustainable energy, waste and water systems.

Outcome: 6.4 Hobart is a leader on climate change moving toward a zero emissions and climate-resilient city.

Outcome: 6.5 Hobart's bushland, parks and reserves are places for sport, recreation and play.

8.1.2. Pillar 7. Built Environment

Outcome: 7.1 Hobart has a diverse supply of housing and affordable homes.

Outcome: 7.2 Development enhances Hobart's unique identity, human scale and built heritage.

Outcome: 7.3 Infrastructure and services are planned, managed and maintained to provide for community wellbeing.

Outcome: 7.4 Community involvement and an understanding of future needs help guide changes to Hobart's built environment

9. Regional, State and National Plans and Policies

9.1. The relevant plans and policies to the SCP are:

9.1.1. the draft Tasmanian Planning Policies (TPP's)

9.1.2. the State Planning Provisions (SPP's)

10. Financial Viability

10.1. Funding Source and Impact on Current Year Operating Result

10.1.1. There are negligible impacts on the budget as a result of these proposed policy changes.

10.2. Impact on Future Years' Financial Result

10.2.1. There are negligible impacts on the Future Year's Financial Result as a result of these proposed policy changes.

10.3. Asset Related Implications

10.3.1. There are negligible impacts on the City's assets as a result of these proposed policy changes.

11. Sustainability Considerations

11.1. The proposed changes to the SCP are consistent with the guidelines for decision making and investment outlined in the City's *Climate Ready Hobart Strategy* to build climate resilience:

11.1.1. Prioritising low-regret activities that provide immediate benefits and long-term value, enhancing both climate readiness and community well-being.

11.1.2. Adopting flexible approaches that evolve in response to new climate data, risks, and emerging challenges, ensuring continuous improvement in our climate ready efforts.

11.1.3. Incorporating safety margins into planning, recognising that climate change is uncertain and that it is cheaper to take extra precautions now than to make changes later.

12. Community Engagement

12.1. The SPO is currently conducting community engagement on this policy reform from 9 September to 21 October 2024.

12.1.1. On 21 October 2024, the City submitted its representation regarding the SPO's *Position Paper - Review of the State Coastal Policy - Development on Actively Mobile Landforms* that was prepared at an officer level.

12.1.2. Following the close of submissions, the SPO will review the feedback obtained and release a report regarding the outcomes of the consultation process. This report will then inform the finalisation of the draft amendment to the SCP.

13. Communications Strategy

13.1. The City is not required to prepare a communications strategy for this project. Nonetheless, the City's submission will be made publicly available as part of the next phase of the SPO's finalisation of the draft amendment to the SCP.

14. Innovation and Continuous Improvement

14.1. It is recognised that the proposed amendments to the SCP offer a more innovative and contemporary approach to managing climate change risks and environment hazards. This issue is elaborated on further in the City's submission to the SPO.

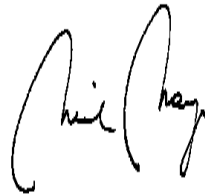
15. Collaboration

- 15.1. In preparing the submission, staff from the Land Use and Development Planning, City Resilience and Development Planning teams have collaborated to critically analyse the implications of this policy reform to the City in carrying out its responsibilities as Planning Authority and land manager.
- 15.2. Staff have also liaised with the Local Government Association of Tasmania (LGAT) to understand the implications of this policy reform in greater detail.

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.



Jennifer Lawley
**MANAGER LAND USE AND
DEVELOPMENT PLANNING**



Neil Noye
DIRECTOR CITY FUTURES

Date: 28 October 2024
File Reference: F24/90452

Attachment A: State Coastal Policy submission (Supporting information) 

**13. Proposed Electrical Infrastructure Easement (TasNetworks) - 20 McVilly Drive, Queens Domain
File Ref: F24/95535; 16/119**

Report of the Open Space Planner and the Acting Director City Life of 30 October 2024 and attachment.

Delegation: Council

REPORT TITLE: **PROPOSED ELECTRICAL INFRASTRUCTURE
EASEMENT (TASNETWORKS) - 20 MCVILLY DRIVE,
QUEENS DOMAIN**

REPORT PROVIDED BY: Open Space Planner
Acting Director City Life

1. Report Summary

- 1.1. The purpose of this report is to seek approval for the creation of a new easement over Council land in favour of TasNetworks at 20 McVilly Drive, Queens Domain (i.e. Domain Slipyard).
- 1.2. TasNetworks have identified the location where a new substation is required to replace an existing substation that is at end-of-life.
- 1.3. The substation is proposed to be located within a vacant strip of narrow land, adjacent to the Intercity Cycleway and outdoor public gym equipment.
- 1.4. TasNetworks seek creation of the easement to accommodate the new substation and related cabling infrastructure (refer to **Attachment A**).
- 1.5. Due to an internal communication error by TasNetworks preliminary works was commenced at the site, however all work has been ceased until Council approval is granted.
- 1.6. Officers have assessed the application and its impact on the park's use, amenity and biodiversity values, and recommend that the easement be granted. Officers will work with TasNetworks to ensure construction of the new substation meets the City's requirements.
- 1.7. Any redundant easements arising will be extinguished.

2. Key Issues

- 2.1. A proposed easement for a new electrical substation is requested on Council land in favour of TasNetworks to deliver a new substation required to relocate an existing substation near the Cenotaph.
- 2.2. The subject site located at 20 McVilly Drive, Queens Domain (i.e. Domain Slipyard), comprising a vacant, narrow strip of land.
- 2.3. Due to an internal TasNetworks communication error, works commenced prematurely on the concrete foundation of the substation, however all work have been ceased until Council approval is granted.
- 2.4. The proposal is considered to provide a suitable outcome regarding impact on the use, amenity and biodiversity of the park.

3. Recommendation

That:

- 1. The Council agree to grant TasNetworks an easement as shown in the Easement Deed at Attachment A to this report.***
- 2. The Chief Executive Officer be authorised to negotiate the final terms and conditions of the easement, and to extinguish any redundant easements associated with the proposed works.***
- 3. TasNetworks undertake all works, documentation and complete the easement registration at its cost.***

4. Background

- 4.1. TasNetworks is seeking to install a new substation near the Domain Slipyard to replace an old, existing substation near the Cenotaph that is at end-of-life. A new ground-mounted substation needs to be installed within the park.

Domain Slipyard

- 4.2. Excavation within the Park is required to install new cabling to connect to the existing cables. The excavation will continue across McVilly Drive Crescent and adjacent the footpath and public gym equipment (refer **Attachment A**).
- 4.3. The location of the substation, between the Intercity cycleway shared path fence and Domain Slipyard, was the preferred location of officers, to avoid impact to the existing public gym equipment and Intercity cycleway and minimise the visual impact of the new infrastructure.



Fig 1: Approximate location of the new kiosk substation and the new cabling within the park

- 4.4. The subject site is outside of the heritage precinct of the Cenotaph.
- 4.5. It is not proposed that Council seek compensation from TasNetworks for the granting of the easement. As outlined in below, TasNetworks have a statutory power to undertake the works anticipated by the easement which severely limit Council's ability to leverage any value from the transaction. Further, service easements tend to be of nominal value which would mean pursuing negotiations would not be an effective use of Council resources.

Substation and Easement Details

- 4.6. The new substation enclosure will measure approximately 3.3m x 1.5m. The substations are to be centred on an underground 'earth mat' that measures approximately 6.9m x 3.5m. The enclosures are fitted to a concrete base slightly larger than the substation enclosure. All surfaces, including the grass in the park, will be reinstated after the installation works.
- 4.7. A retaining wall will extend around the earth mat on the eastern and southern side of the substation to provide a level surface.
- 4.8. An easement is requested with an area of approx. 8.9m x 5.5m over the substation and earth mat – and a 2m wide easement over the cabling crossing McVilly Drive.
- 4.9. Granting the easement will ensure that the extent of TasNetworks' rights over the land is recorded on the Title to the property for the benefit of any party that may view the Title. It will also ensure that should the Council decide to deal with the property in future years, the interest is noted. In addition, granting the easement at this time will ensure that TasNetworks will bear all costs associated with its creation.
- 4.10. It is proposed that approval be given for easements over the City's land at:
 - 4.10.1. Domain Slipyard (20 McVilly Drive, Queens Domain) in accordance with TasNetworks' site plans N005931-T103026-001 and N005931-T103026-002.
- 4.11. TasNetworks will be notified of the Council's resolution with conditional consent provided for the easement on the proposed substation site.

5. Legal, Risk and Legislative Considerations

- 5.1. Under the terms of the *Local Government Act 1993* (Tas) a Council decision is required in respect of any proposal to "*sell, lease, donate, exchange or otherwise dispose of public land*".
- 5.2. This provision has always been ambiguous as to whether it requires a Council decision in respect of non-possessory property rights such as easements.
- 5.3. We have received advice confirming these provisions of the *Local Government Act 1993* (Tas) are ambiguous and that there is an argument that by creating that easement Council is not selling, donating, exchanging, or otherwise disposing of land currently held, they are creating a new property right. Thereby the Council administration may not require a decision of the Council to grant an easement.

- 5.4. That being said, the overall intention of this part of the *Local Government Act 1993* (Tas) addresses dealings with public land held by Council and arguably provide checks and balances for any actions that would impact on public land held by Council.
- 5.5. Adopting a conservative approach the matter has been referred to Council for purposes of transparency.
- 5.6. Section 52 of the *Electricity Supply Industry Act 1995* (Tas) grants TasNetworks powers to undertake certain works on public land with the agreement of the relevant authority for the public land. Such works include the installation of electricity infrastructure as well as the maintenance and repair of that infrastructure. However, the *Electricity Supply Industry Act 1995* (Tas) also provides that the relevant authorities agreement is presumed if the work is classified by the regulations as being of minor environmental impact.
- 5.7. Regulation 8 of *Electricity Supply Industry Regulations 2018* (Tas) provides that, amongst other things, the installation, repair, maintenance, of any substation as well as any underground cabling is classified as work of minor environmental impact. Accordingly, Council's agreement to undertake the works proposed by TasNetworks is arguably presumed.
- 5.8. Accordingly, regardless of the easement TasNetworks likely has legislative powers to undertake the works.

6. Hobart: A Community Vision For Our Island Capital

- 6.1. The proposal is consistent with the City of Hobart Vision:

Pillar 7 Outcome 7.3

7.3.3 Our infrastructure and services are planned, managed and maintained so they provide long term benefits to Hobart communities.

7. Capital City Strategic Plan

- 7.1. The proposal is consistent with the City of Hobart Capital City Strategic Plan 2023:

Pillar 7 Outcome 7.3

Strategy 7.3.1 Ensure the City's infrastructure supports health and wellbeing and is affordable and accessible for all.

Strategy 7.3.5 Measure, manage and support the effective use of city facilities, infrastructure and public spaces..

8. Financial Viability

- 8.1. Funding Source and Impact on Current Year Operating Result

8.1.1. There will no impact on the current year operating budget.

8.2. Impact on Future Years' Financial Result

8.2.1. There will no impact on the future years' operating budget.

8.3. Asset Related Implications

8.3.1. The electrical infrastructure assets will be owned and maintained by TasNetworks.

9. Sustainability Considerations

9.1. Standard environmental management practices will be employed during construction and will be in accordance with TasNetworks' quality control system and the Council's conditional consent.

10. Community Engagement

10.1. The proposal will be publicly advertised in accordance with the Local Government Act 1993 and any objections considered before determining whether the easements are accepted.

11. Collaboration

11.1. City officers have liaised with TasNetworks personnel to ensure that an acceptable outcome is proposed.

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.



Jordan Cargill
OPEN SPACE PLANNER



Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 30 October 2024
File Reference: F24/95535; 16/119

Attachment A: Easement Deed (Supporting information) 

14. Response to Development Assessment Panel (Draft Bill)
File Ref: F24/95265

Report of the Acting Director City Life of 6 November 2024 and attachments.

Delegation: Council

**REPORT TITLE: RESPONSE TO DEVELOPMENT ASSESSMENT
PANEL (DRAFT BILL)****REPORT PROVIDED BY:** Acting Director City Life**1. Report Summary**

- 1.1. On 21 July 2023, the Premier announced the development of amending legislation to allow certain development applications to be determined by an independent development assessment panel (**DAP**) appointed by the Tasmanian Planning Commission. The introduction of a DAP framework will provide an alternate approval pathway outside of Councils' decision-making functions and proposes to 'take the politics out of planning' for more complex or contentious development applications.
- 1.2. After reviewing the submissions received, the State Government has now prepared draft bill which is available for comment by 12 November 2024. The draft bill would amend the existing planning legislation, the *Land Use Planning and Approvals Act 1993* (**LUPAA**).
- 1.3. The purpose of this report is to seek Council's endorsement of the City of Hobart's Response to the Development Assessment Panel Draft Bill (**Attachment A**).

2. Key Issues

- 2.1. The draft submission reiterates the City's position that statutory planning functions must remain with local councils as they are better placed to understand local issues and the potential planning impacts on a community in a way that other tiers of government are not.
- 2.2. There are significant issues with the way the legislation has been drafted, creating inconsistencies within LUPAA, leaving ambiguities as to even basic requirements such as the framework for assessment, and gives the Minister substantial power to interfere in planning processes.

3. Recommendation

That the Council endorse the draft submission to the Development Assessment Panel Draft Bill, marked as Attachment A to this report.

4. Background

- 4.1. On 21 July 2023, the Premier announced the development of new legislation to allow certain development applications to be determined by an independent DAP appointed by the Tasmanian Planning Commission.
- 4.2. The introduction of a DAP framework will provide an alternate approval pathway outside of Councils' decision-making functions and proposes to 'take the politics out of planning' for more complex or contentious development applications.
- 4.3. On 19 October, the Tasmanian Government released a discussion paper for public consultation. Copies of the discussion paper, the Council's response and the Local Government Association of Tasmania response are at **Attachment B**.
- 4.4. The State Government has released a Report on Consultation which responded to the submissions which were received in response to the discussion paper. A copy of that Report is at **Attachment C**.
- 4.5. The draft *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024* (draft Bill) and the Fact Sheet prepared by the State Government are both at **Attachment D**.

5. Legal, Risk and Legislative Considerations

- 5.1. The introduction of a DAP in the form which is currently proposed introduces the following risks to the Council:
 - 5.1.1. reduced planning fees which will need to be passed on to other applicants, for smaller projects, or passed on to ratepayers;
 - 5.1.2. disruption to staff if the Tasmanian Planning Commission recruits a team of planners, engineers and other experts to enable it to assess applications, potentially causing significant disruption to the ability of the City of Hobart to recruit senior staff in these areas;
 - 5.1.3. planning applications will no longer be assessed with the specialised knowledge of the community which is held by our Elected Members.

6. Discussion

- 6.1. Elected Members are referred to Attachment A for the proposed Response to the Development Assessment Panel Draft Bill.
- 6.2. In summary, the draft Bill is not supported. There is a lack of evidence to support the creation of a DAP and alternatives have not been properly considered. In addition, the proposed DAP:

- 6.2.1. introduces politics into planning by giving the Minister such broad and undefined powers;
- 6.2.2. reduces the involvement of the community in the planning process;
- 6.2.3. threatens to significantly disrupt the ability of councils to retain senior expert staff;
- 6.2.4. is likely to impact the City of Hobart's fee structure so that applicants for smaller projects are likely to be required to pay higher fees; and
- 6.2.5. creates ambiguity for developers, with no assessment framework which is articulated.

7. Hobart: A Community Vision For Our Island Capital

- 7.1. Pillar 1 of the Community Vision relates to Hobart retaining a strong sense of place and identity even as the city changes.

8. Capital City Strategic Plan

- 8.1. Pillar 1 of the Capital City Strategic Plan responds to the Community Vision's desire to Hobart retaining a strong sense of place.

9. Financial Viability

- 9.1. Funding Source and Impact on Current Year Operating Result
 - 9.1.1. It is difficult to predict the financial impact of the creation of a DAP, but it is almost inevitable that the Council will be in a worse financial position. This can be offset by increasing fees for other applicants. Until it is known how many applicants will use the DAP process, it is difficult to quantify the impact.
- 9.2. Impact on Future Years' Financial Result
 - 9.2.1. As above.
- 9.3. Asset Related Implications
 - 9.3.1. Nil.

10. Collaboration

- 10.1. In the preparation of the proposed submission, there have been discussions with representatives of a number of councils and the Local Government Association of Tasmania.





- 10.2. It is noted that LGAT has received some feedback from some councils that there is some appetite for a DAP. For example, smaller councils who receive a substantial application may not have the resources to assess it properly. However, the offer for LGAT to work with the State Government to formulate a good working model has not been taken up at this point.

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.



Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 6 November 2024
File Reference: F24/95265

- Attachment A: Response to Development Assessment Panel Draft Bill (Supporting information) 
- Attachment B: State Planning Office DAP Position Paper; responses by City of Hobart & LGAT (2023) (Supporting information) 
- Attachment C: State Planning Office Report on Consultation on DAP (2024) (Supporting information) 
- Attachment D: State Planning Office Fact Sheet & Draft Bill (Supporting information) 

**15. Local Government Association of Tasmania -
Motions for November General Meeting
File Ref: F24/95996**

Report of the Manager Legal and Corporate Governance and the Director City Enablers of 31 October 2024 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Local Government Association of Tasmania - Motions for November General Meeting

The Local Government Association of Tasmania's ("LGAT") General Meeting, to be held on Thursday, 21 November 2024, is set to consider seven motions which have been raised by councils for consideration at the meeting. The Council will need to resolve its position in respect of each of these motions to allow delegates to vote accordingly.

A suggested position and supporting comments can be found at **Attachment A**.

Background information and full details of each motion can be found at **Attachment B**.

1. **Motion on Code of conduct – Timeframe for making a complaint – Circular Head Council**

The Circular Head Council has submitted a motion seeking:

"That LGAT actively engages with the Office of Local Government to seek a reduction in the current six month timeframe prescribed in the Councillor Code of Conduct for complaints to be lodged."

It is recommended Council resolve for its delegates to vote against this motion.

2. **Motion on Review of cat management legislation – Clarence City Council**

The Clarence City Council has submitted a motion seeking:

"That the Local Government Association of Tasmania establishes a review to determine whether or not to develop a sector wide position on cat management and that the determination of any such position be presented to the State Government addressing issues including, but not limited to:

- (i) The recognition that cat management is a shared responsibility across all levels of government, business and the community;*

- (ii) *Avenues to increase community awareness, participation and commitment by pet cat owners to manage cats responsibly;*
- (iii) *Assessment of best practice techniques in relation to the planning, management and control of stray and feral cats;*
- (iv) *Improved knowledge about feral, stray and domestic cats to better inform management;*
- (v) *Minimising the impacts of cats in areas with important conservation values and agricultural assets;*
- (vi) *Undertake legislative change and the provision of resources to create an effective framework for managing cats, including resourcing for cat management facilities;*
- (vii) *Review the roles and responsibilities of local and state governments in relation to cat management and resource allocation”.*

It is recommended Council resolve for its delegates to vote in favour of this motion.

3. Motion on Creation of Statutory Rights of Carriageway over Crown Road Reserves – Huon Valley Council

Huon Valley Council has submitted a motion seeking:

“That the Local Government Association of Tasmania request the State Government to urgently amend the Crown Lands Act 1976 to establish automatic statutory rights of access over Crown Reserved Road for all landowners to access their adjoining properties that have Reserved Roads accessing their properties as proposed in the Crown Lands – Reserved Road, Position Paper, July 2009 to provide certainty of access to landowners generally and for the purposes of meeting access requirements under the Tasmanian Planning Scheme.”

It is recommended Council resolve for its delegates to vote in favour of this motion.

4. Motion on Proposed Change to Local Government (Meeting Procedures) Regulations 2015: Video conference attendance at Council meetings. – King Island Council

King Island Council has submitted a motion seeking:

“Request that the Tasmanian Government amend the Local Government (Meeting Procedures) Regulations 2015 to allow councillors to attend Council Meetings via video conferencing in emergency and other special circumstances.”

It is recommended Council resolve for its delegates to vote against this motion.

5. Proposed Amendment to Local Government (Meeting Procedures) Regulations 2015: retrospective leave of absence for Council meetings – King Island Council

King Island Council has submitted a motion seeking:

“That the Local Government (Meeting Procedure) Regulations 2015 be amended to allow councillors to seek leave of absence retrospectively in emergency situations.”

It is recommended Council resolve for its delegates to vote against this motion.

6. Development Assessment Panels – Local Government Association of Tasmania

The Local Government Association of Tasmania (LGAT) has submitted a motion seeking:

Motion 1

“That LGAT informs the State Government:

- *That local government supports the Government’s Development Assessment Panels legislation, with some amendments as outlined in the Local Government Association of Tasmania’s submission.”*

If this motion is supported, then the second motion does not need to be put. If the motion is lost, then the following motion will be put:

Motion 2

“That LGAT informs the State Government:

- *That local government rejects the Government’s Development Assessment Panels legislation but remains open to a well-designed Development Assessment Panels proposal in concept as a potential tool to resolve specific assessment problems.”*

It is recommended Council resolve for its delegates to vote against both of these motions.

7. Motion on Government Business Enterprises Rate Equivalent Payments – Central Highlands Council

Central Highlands Council has submitted a motion seeking:

“That the Local Government Association of Tasmania pursue with the Tasmanian Government the following:

Funds received by the State Government from Government Business Enterprise as Rate Equivalent payments be in the most part distributed to Local Government.”

It is recommended Council resolve for its delegates to vote in favour of this motion.

RECOMMENDATION

That the Council resolve to instruct its delegates to:

- (i) vote against the motion on Lowering the timeframe for making a Code of Conduct complaint tabled by Circular Head Council contained in Attachment B;***
- (ii) vote in favour of the motion on Cat Management Legislation tabled by the Clarence City Council contained in Attachment B;***
- (iii) vote in favour of the motion on Crown Road Reserves tabled by Huon Valley Council contained in Attachment B;***
- (iv) vote against the motion on Video Conference Attendance tabled by King Island Council contained in Attachment B;***
- (v) vote against the motion on the Retrospective Leave of Absence tabled by King Island Council contained in Attachment B;***
- (vi) vote against both motions on the Development Assessment Panels tabled by Local Government Association of Tasmania contained in Attachment B;***
- (vii) vote in favour of the motion on the Government Business Enterprises Rate Equivalent Payments tabled by Central Highlands Council contained in Attachment B***

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.



Wes Young
**MANAGER LEGAL AND CORPORATE
GOVERNANCE**



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 31 October 2024
File Reference: F24/95996

Attachment A: LGAT Motions – Suggested Council Position and Supporting
Comments (Supporting information)

Attachment B: Motions for LGAT General Meeting September 2024
(Supporting information) 

16. Loan Repayment Review
File Ref: F24/92078

Report of the Chief Financial Officer and the Director City Enablers of
5 November 2024.

Delegation: Council

REPORT TITLE: LOAN REPAYMENT REVIEW**REPORT PROVIDED BY:** Chief Financial Officer
Director City Enablers**1. Report Summary**

1.1. The purpose of this report is to provided Council an estimate of the cost for the early repayment of the loan with the Commonwealth Bank of Australia.

2. Key Issues

2.1. The loan with the Commonwealth Bank of Australia was entered into on 30 June 2006 for the purchase of Porter Hill with a fixed interest rate of 6.41 per cent. The loan amount was \$4.8 million with a loan term of 30 years.

2.2. As at 30 June 2024, the balance of the Commonwealth Bank of Australia loan is approximately \$3 million.

2.3. The loan is a fixed interest rate loan and there will be corresponding early repayment break costs if the City exited the loan before the expiry of the full term.

2.4. In addition to the loan balance of \$3 million, the interest payments across the remaining 12 years of the loan total \$1.3 million.

2.5. The City sort an estimate of the early repayment break costs, however this cost is an estimate and will likely change based on the actual payout date.

2.6. An estimate was sought in September 2024 and in addition to the loan balance an additional \$140,000 in break costs will be incurred.

2.7. To enable the early repayment of the loan it is estimated that a total of approximately \$3.2 million will be required.

2.8. The \$3.2 million allows for any increase in the break cost estimate of \$140,000.

2.9. The 2024-25 Budget has \$362,000 included as principal and interest payments for the Commonwealth Bank of Australia loan.

2.10. An additional budget allocation of \$2.8 million would be required to enable the early repayment of this loan. The City would draw down on its cash reserves to payout the loan

2.11. An alternate use of the funding would be to continue to invest the \$2.8 million additional funding required over the remaining 12 years of the loan.

- 2.12. At the 10-year Australian Government Bond Yield of 4.41 per cent, additional revenue over the 12 year period would be approximately \$1.9 million.
- 2.13. Based on the two alternate uses of funds and the current 10-year Australian Government Bond Yield, there is no net benefit to the City in repaying the loan at the moment.
- 2.14. The City would benefit by approximately \$740,000 by continuing to invest the funds for a 12-year period.
- 2.15. Due to the ongoing economic climate, it would be prudent of the City to review the early repayment option on an annual basis.

3. Recommendation

That:

1. ***The Council note that an assessment of the proposal to payout a long-term Commonwealth Bank of Australia loan of approximately \$3 million indicates that there is no financial benefit to the City to payout the loan early.***
2. ***The Council note that City Officers will review the early repayment option on an annual basis to determine if there is a net benefit to the City of paying out the loan early.***

4. Background

- 4.1. As at 30 June 2024, the City had five loans with an outstanding balance of \$39.9 million.
- 4.2. The outstanding loan balance of \$39.9 million represents 22.1 per cent of the 2024-25 expenditure budget.
- 4.3. The principal and interest repayments in 2024-25 of \$5.4 million are 3 per cent of the total expenditure budget of \$180.4 million.
- 4.4. One of the loans with a value of \$843,000 was finalised on 24 August 2024.
- 4.5. Of the four loans outstanding the interest rates range from 2.45 per cent to 6.41 per cent.
- 4.6. Council requested the City investigate the early repayment for the loan with the Commonwealth Bank of Australia.
- 4.7. The loan with the Commonwealth Bank of Australia was entered into on 30 June 2006 for the purchase of Porter Hill with a fixed interest rate of 6.41 per cent. The loan amount was \$4.8 million with a loan term of 30 years.

5. Legal, Risk and Legislative Considerations

- 5.1. NA

6. Discussion

- 6.1. As at 30 June 2024, the balance of the Commonwealth Bank of Australia loan is approximately \$3 million.
- 6.2. The loan is a fixed interest rate loan and there will be corresponding early repayment break costs.
- 6.3. In addition to the loan balance of \$3 million, the interest payments over the remaining 12 years of the loan total \$1.3 million.
- 6.4. The City sort an estimate of the early repayment break costs, however this cost is an estimate and will move based on the actual payout date.
- 6.5. The City will be required to pay the early repayment fee at 0.08 per cent in addition to the break cost.
- 6.6. An estimate was sought in September 2024 and in addition to the loan balance an additional \$140,000 in break costs will be incurred.
- 6.7. To enable the early repayment of the loan it is estimated that a total of approximately \$3.2 million will be required.

- 6.8. The \$3.2 million allows for any increase in the break cost estimate of \$140,000.
- 6.9. The 2024-25 Budget has \$362,000 included as principal and interest payments for the Commonwealth Bank of Australia loan.
- 6.10. An additional budget allocation of \$2.8 million would be required to enable the early repayment of this loan. The City would draw down on its cash reserves to payout the loan.
- 6.11. An alternate use of the funding would be to continue to invest the \$2.8 million over the remaining 12 years of the loan.
- 6.12. At the 10 year Australian Government Bond Yield of 4.41 per cent, additional revenue over the 12 year period would be approximately \$1.9 million.

Fund Options	\$'000
Early Repayment of Loan	
Interest Payment over the next 12 years	1,300
Less Early Repayment Costs	<u>(140)</u>
Net Savings from Early Repayment	(A) <u>1,160</u>
Investment of Funds	
Future Earning from \$2.8 million invested for 12 years at the Australian Government 10 Year Bond Yield of 4.41%	4,700
Less Initial Investment Amount	<u>(2,800)</u>
Net Potential Earnings from Investment	(B) <u>1,900</u>
Net Benefit from Early Repayment	(A-B) <u><u>(740)</u></u>

- 6.13. Based on the two alternate uses of funds and the current 10-year Australian Government Bond Yield, there is no net benefit to the City in repaying the loan at the moment,
- 6.14. The City would benefit by approximately \$740,000 by continuing to invest the funds for a 12-year period.
- 6.15. Due to the ongoing economic climate, it would be prudent of the City to review the early repayment option on an annual basis.

7. Hobart: A Community Vision For Our Island Capital

7.1. Pillar 8 – Governance and Civic Involvement

8. Capital City Strategic Plan

8.1. Outcome 8.2 – Hobart is a city that delivers public value and excellence by being a financially responsible, high performing and accountable organisation that is responsive to the needs of the community.

9. Regional, State and National Plans and Policies

9.1. NA

10. Financial Viability

10.1. Funding Source and Impact on Current Year Operating Result

10.1.1. The 2024-25 has \$362,000 included for principal and interest payments for this loan.

10.1.2. An additional \$2.8 million in the 2024-25 Budget would be required to enable the early repayment of the loan.

10.2. Impact on Future Years' Financial Result

10.2.1. The City would be \$740,000 financially better off to continue investing the funds.


10.3. Asset Related Implications

10.3.1. NA

11. Innovation and Continuous Improvement

11.1. As noted, it would be prudent of the City to review the early repayment options on an annual basis.

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.



Michelle Wickham
CHIEF FINANCIAL OFFICER



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 5 November 2024
File Reference: F24/92078

17. 2023-24 Financial Statements
File Ref: F24/93048

Report of the Chief Financial Officer and the Director City Enablers of
28 October 2024 and attachments.

Delegation: Council

REPORT TITLE: 2023-24 FINANCIAL STATEMENTS

REPORT PROVIDED BY: Chief Financial Officer
Director City Enablers

1. Report Summary

1.1. The purpose of this report is to present the 2023-24 Financial Statements to Council (**Attachment A**).

2. Key Issues

2.1. The financial statements for the year ended 30 June 2024 have been prepared on a consistent basis with prior years.

2.2. The Auditor-General has completed the audit and issued an unqualified audit opinion (**Attachment B and C**).

3. Recommendation

That Council note that in accordance with section 84(4) of the Local Government Act 1993 that the Chief Executive Officer tabled the certified financial statements for the year ended 30 June 2024.

4. Background

- 4.1. The financial statements for the year ended 30 June 2024 have been prepared on a consistent basis with prior years.
- 4.2. The financial statements were presented to the Risk and Audit Panel on 13 August 2024 and delivered to the Auditor-General on 14 August 2024.
- 4.3. The financial statements were re-presented to the Risk and Audit Panel on 16 October 2024.
- 4.4. The financial statements are attached to this report (Attachment A).

5. Legal, Risk and Legislative Considerations

- 5.1. Section 84(1) of the *Local Government Act 1993* requires the Chief Executive Officer to prepare and forward to the Auditor-General a copy of the City's financial statements in accordance with the *Audit Act 2008*.
- 5.2. Section 17(1) of the *Audit Act 2008* requires the Chief Executive Officer to prepare and forward a copy of the City's financial statements to the Auditor-General within 45 days after the end of each financial year.
- 5.3. Section 17(4) of the *Audit Act 2008* requires the City's financial statements to be prepared in accordance with the accounting standards and other requirements issued by the Australian Accounting Standards Board.
- 5.4. Section 84(3) of the *Local Government Act 1993* requires the Chief Executive Officer to certify that the financial statements fairly represent the City's financial position, the results of the City's operations, and the cash flow of the City. This certification (unsigned) is attached (refer **Attachment D**).
- 5.5. Section 84(4) of the *Local Government Act 1993* requires the Chief Executive Officer to table the certified financial statements at a meeting of the Council as soon as practicable.
- 5.6. All of the above legal requirements have been complied with.

6. Discussion

- 6.1. The Risk and Audit Panel noted the financial statements and the management representation letter that were submitted to the Tasmanian Audit Office.
- 6.2. Prior to delivery of the financial statements to the Auditor-General on 14 August 2024, the following items were identified by officers that required changes to be made to the financial statements:

- 6.2.1. Note 3 (Functions/Activities of the Council) was updated to exclude capital expenditure from the various functions' expenditure.
 - 6.2.2. Note 16 (Underlying Result) was updated to exclude abnormal asset write-offs of land and land under roads of \$8.9 million, which resulted in an improvement to the Underlying Result.
 - 6.2.3. The Waste function under Note 56 (Significant Business Activities) was updated to include all rates revenue and adjustments to some expenses.
- 6.3. Following the delivery of the financial statements to the Auditor-General, a review was undertaken on the property, plant and equipment calculations from 2020-21 to 2023-24, which resulted in the following additional adjustments being made to the financial statements:

2022-23 Statement of Financial Position Restated

- 6.3.1. Property, Plant and Equipment reduced by \$15.3 million to \$2.4 billion.
- 6.3.2. Reserves reduced by \$16.3 million to \$1.4 billion.
- 6.3.3. Retained Earnings increased by \$967,000 to \$1.1 billion.

2022-23 Statement of Comprehensive Income Restated

- 6.3.4. Depreciation and Amortisation reduced by \$1.1 million to \$27.6 million.
- 6.3.5. Other Expenses (Asset Write-Offs) increased by \$178,000 to \$6.4 million.
- 6.3.6. Net PP&E revaluation increments decreased by \$11.9 million to \$73.7 million.
- 6.3.7. Surplus and Underlying Surplus increased by \$967,000 to \$16.8 million and \$6.7 million respectively.

2023-24 Statement of Financial Position Restated

- 6.3.8. Property, Plant and Equipment reduced by \$12.6 million to \$3.2 billion.
- 6.3.9. Intangibles reduced by \$224,000 to \$5.2 million.
- 6.3.10. Reserves reduced by \$14.5 million to \$2.2 billion.
- 6.3.11. Retained Earnings increased by \$1.7 million to \$1.1 billion.

2023-24 Statement of Comprehensive Income Restated

- 6.3.12. Depreciation and Amortisation reduced by \$226,000 to \$29.2 million.
- 6.3.13. Other Expenses (Asset Write-Offs) reduced by \$526,000 to \$18.9 million.
- 6.3.14. Net PP&E revaluation increments increased by \$1.8 million to \$803.6 million.
- 6.3.15. Surplus and Underlying Surplus increased by \$752,000 to \$4.7 million and \$7.5 million respectively.
- 6.4. In addition to the above, the Auditor-General requested some minor presentation and wording changes to the financial statements during the audit process.
- 6.5. The financial statements were re-presented to the Risk and Audit Panel on 16 October 2024.
- 6.6. Financial Sustainability Outcomes
 - 6.6.1. As outlined in the City's Long Term Financial Management Plan (LTFMP), 10 financial sustainability measures have been adopted for the purpose of measuring the City's financial sustainability.
 - 6.6.2. Indicators 1-2 are measures of profit and performance and the extent to which expenses are covered by revenues.
 - 6.6.3. Indicators 3-6 are measures of indebtedness and the amount the City owes others (loans, employee provisions, creditors) net of financial assets (cash, investments and amounts owed to the City).
 - 6.6.4. Indicators 7-9 measures of asset management.
 - 6.6.5. Indicator 10 is a measure of liquidity.

6.6.6. The City's performance against the ten financial sustainability indicators is shown in Table 1 below:

Table 1: Performance against Financial Sustainability Indicators

Indicator	Description	Budget 2023/24	Actual 2023/24	Budget achieved (✓/✗)	Benchmark	Benchmark achieved (✓/✗)
1	Underlying Result	\$500,000	\$7,489,000	✓	> \$0	✓
2	Underlying Result Ratio	0.30%	4.41%	✓	> 0%	✓
3	Net Financial Liabilities *	(\$9,006,000)	(\$6,644,000)	✓	0 - (\$84 mil)	✓
4	Net Financial Liabilities Ratio	(5.38%)	(3.91%)	✓	0 - (50%)	✓
5	Net Interest Expense Cover Ratio	0.89%	(1.40%)	✓	< 7%	✓
6	Debt Coverage Ratio	6.94%	6.83%	✓	0 - 20%	✓
7	Asset Sustainability Ratio	34.42%	54.88%	✓	100%	✗
8	Asset Consumption Ratio	41.33%	48.22%	✓	> 60%	✗
9	Asset Renewal Funding Ratio	44.73%	112.72%	✓	90 - 100%	✓
10	Working Capital	2.5	2.3	✗	≥ 1	✓

*Note - Net Financial Liabilities includes all liabilities, and therefore differs from the value shown in note 18 of the financial statements (which only includes financial liabilities).

6.6.7. Actual results have met both budget and benchmark with the profitability indicators 1 and 2.

6.6.8. Budget and benchmark have been achieved with the indebtedness and loan servicing indicators 3 to 6.

6.6.9. Asset management indicators 7 to 9 have achieved budget, however only indicator 9 has met benchmark.

6.6.10. Liquidity indicator 10 has met benchmark but not budget.

6.7. Operating Result

6.7.1. The Operating Result for 2023-24 is a surplus of \$10.5 million (2022-23 Restated: \$16.8 million surplus). This result includes capital grants, contributed infrastructure assets, and the advance receipt of financial assistance grants.

6.7.2. Excluding these items, results in an underlying surplus of \$7.5 million (2022-23 Restated: \$6.7 million surplus). This result is \$7 million favourable against the original budget position of a \$500,000 surplus.

6.7.3. The \$7.5 million favourable variance is mainly due employee costs and depreciation costs being lower than the budget estimates, together with higher interest revenue. These favourable variances are partly offset by higher asset write-offs and materials and services costs.

6.7.4. The Auditor-General guidelines for calculating the underlying result have been followed in calculating the above.

6.8. Cash Position

- 6.8.1. Cash balances have reduced by \$7.3 million from \$19 million to \$11.7 million.
- 6.8.2. Investments have increased by \$17 million from \$44 million to \$61 million.
- 6.8.3. Term deposits with a maturity greater than three months are classified as investments on the balance sheet.
- 6.8.4. The cash balance is committed to a number of items that have internal and external restrictions, and the remaining funds can be used for other purposes such as capital works and payment of liabilities.

6.9. Rate and Charges Revenue

- 6.9.1. Rate revenue totalled \$109.1 million (2022-23 \$101 million) and represents approximately 64 per cent of underlying revenue.
- 6.9.2. The increase of \$8.1 million is the result of:
 - 6.9.2.1. A 6.9 per cent (or CPI) increase to fund the increased cost of providing existing services; and
 - 6.9.2.2. A 6.36 per cent increase to fund the increase in the State Government fire levy.

6.10. Asset Revaluations

- 6.10.1. In accordance with the requirement to ensure that reported asset values do not differ materially from their fair value, some asset classes were revalued during 2023-24 and indexation was applied to others.

6.10.2. The results of the revaluation exercise were:

Land Under Roads	\$762.4 million	Increment
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6.10.3. The results of the indexation exercise were:

Land	\$5.9 million	Increment
Buildings	\$8.1 million	Increment
Land Improvements	\$5.3 million	Increment
Pathways & Cycleways	\$3.7 million	Increment
Stormwater	\$8.6 million	Increment
Roads and Bridges	\$9.6 million	Increment
	\$41.2 million	Increment

- 6.10.4. The Land Under Roads asset class revaluation was undertaken based on valuation data determined by the Valuer-General effective as at 1 July 2024.
- 6.10.5. The above revaluation movements have been recognised in Other Comprehensive Income.

6.11. Contributed Property, Plant and Equipment

- 6.11.1. Contributed property, plant and equipment essentially comprises assets required to be constructed for the City by developers.
- 6.11.2. During 2023-24, these amounted to \$3.3 million (2022-23 \$4.3 million) and were mainly derived from the takeover of various land parcels in New Town, Hobart, Battery Point and South Hobart.

6.12. Asset Write-offs

- 6.12.1. Asset write-offs mainly comprise infrastructure assets replaced as part of the City’s on-going asset renewal program.
- 6.12.2. Asset write-offs totalled \$13.7 million (2022-23 \$1.7 million) and were in respect of the following asset sub-classes:

Land	\$6.5 million
Land Under Roads	\$2.5 million
Capital Work in Progress	\$2.5 million
Roads and Bridges	\$1.2 million
Pathways and Cycleways	\$471,000
Land Improvements	\$305,000
Other	\$235,000

6.13. Investment in TasWater

- 6.13.1. The City has an ownership interest in TasWater, which is accounted for as an equity investment at fair value through Other Comprehensive Income.
- 6.13.2. Distributions received from TasWater are recognised as revenue and included in the City’s surplus.
- 6.13.3. The value of the City’s ownership interest at any point in time is calculated by applying the City’s ownership interest percentage (9.35 per cent) to TasWater’s net asset value. The City’s equity interest has reduced from 9.59 per cent last year due to the State Government’s final equity injection of \$2.5 million in TasWater during the year. Applying this methodology at 30 June 2024 produces a value for the City’s ownership interest of \$176.8 million (30 June 2023 \$168 million). The \$8.8 million

increase from the previous year has been recognised in Other Comprehensive Income rather than in the surplus.

6.14. Defined-Benefit Superannuation Plan

6.14.1. The City's defined-benefit superannuation plan position has decreased by \$367,000 to a net asset of \$3 million at 30 June 2024. This movement is mainly due to the movement in the net asset ceiling. The asset ceiling limits the amount of any net defined benefit asset recognised in the Statement of Financial Position to be no greater than the present value of any economic benefits available to the City as a result of a surplus of assets over liabilities.

6.15. Changes in Accounting Standards

6.15.1. There were no new Standards issued by the Australian Accounting Standards Board that were materially relevant to the City's operations during 2023-24.

6.16. Estimates and Judgements

6.16.1. The impairment allowance on the value of fines lodged with the Monetary Penalties Enforcement Service (MPES) was amended to 31.5 per cent (2022-23 29.3 per cent) based on evidence of impairments over the last four years.

6.16.2. Except as noted above and elsewhere in this report, there have been no other changes to accounting policy or to the basis or methodology of assumptions to those tabled at the Risk and Audit Panel meeting of 6 June 2024. Some assumptions have changed, for example the discount rate used in the actuarial calculation of the defined benefit superannuation scheme, but the basis of how the rate is determined has not.

7. Hobart: A Community Vision For Our Island Capital

7.1. Pillar 8 – Governance and Civic Involvement.

8. Capital City Strategic Plan

8.1. Outcome 8.2 – Hobart is a city that delivers public value and excellence by being a financially responsible, high performing and accountable organisation that is responsive to the needs of the community.

9. Financial Viability

9.1. Funding Source and Impact on Current Year Operating Result

9.1.1. The 2023-24 Financial Statements resulted in a \$7.5 million underlying surplus.

9.1.2. The favourable underlying surplus is mainly due employee costs and depreciation being lower than the original budget estimates, together with higher interest revenue. These favourable variances are partly offset by higher asset write-offs and materials and services costs.

9.2. Impact on Future Years' Financial Result

9.2.1. The underlying result in 2023-24 will enable the City to continue its review into the existing cost structures to ensure the long-term financial sustainability of the organisation.

9.3. Asset Related Implications

9.3.1. The value of Property, Plant and Equipment increase by \$789.8 million from \$2.4 billion in 2022-23 to \$3.2 billion.

9.3.2. \$762.4 million of the increase relates to the revaluation of Land Under Roads.

10. Community Engagement

10.1. The 2023-24 Financial Statements will be presented at the Annual General meeting in December 2024.

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.







Michelle Wickham
CHIEF FINANCIAL OFFICER



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 28 October 2024
File Reference: F24/93048

- Attachment A: Financial Statements - Year Ended 30 June 2024 (Supporting information) 
- Attachment B: Independent Auditors Report Cover Letter - Year Ended 30 June 2024 (Supporting information) 
- Attachment C: Independent Auditors Report - Year Ended 30 June 2024 (Supporting information) 
- Attachment D: Certification by the Chief Executive Officer - Year Ended 30 June 2024 (Supporting information) 

18. Quarterly Financial Report - 30 September 2024
File Ref: F24/92079

Report of the Chief Financial Officer of 5 November 2024.

Delegation: Council

REPORT TITLE: QUARTERLY FINANCIAL REPORT - 30 SEPTEMBER 2024**REPORT PROVIDED BY:** Chief Financial Officer**1. Report Summary**

- 1.1. The purpose of this report is to provide Council with the quarterly financial report as at 30 September 2024.
- 1.2. As at 30 September 2024, the City is reporting a surplus of \$14.7 million when compared to the year-to-date budget for operating activities.
- 1.3. The full year budget has not changed from the original 2024-25 Budget Estimates.
- 1.4. As at 30 September 2024, the City had spent \$3.4 million, or nine per cent of the full year Budget for capital activities, including plant and equipment. This is an underspend of \$10 million when compared to the year-to-date budget.

2. Key Issues**2.1. Operating Activities:**

Category	Year to Date				Full Year			Forecast Full Year Result (\$,000)
	Budget (\$,000)	Actual (\$,000)	Variance (\$,000)	Variance %	Original Budget (\$,000)	Revised (Approved) Budget (\$,000)	Revised (Pending) Budget (\$,000)	
Revenue								
Rates and Charges	28,905	38,521	9,617	33.3	115,618	115,618	0	115,618
Fire Levy Commission	150	179	0	0.0	599	599	0	599
Fines	2,184	1,541	(643)	(29.5)	8,736	8,736	0	8,736
Fees and Charges - Car Parks	3,560	3,771	211	5.9	14,240	14,240	0	14,240
Fees and Charges - On Street Parking	2,020	1,759	(261)	(12.9)	8,079	8,079	0	8,079
Other Fees and Charges	4,576	6,901	2,325	50.8	18,303	18,303	0	18,303
Operating Grants	1,209	1,566	357	29.5	4,837	4,837	0	4,837
Interest	665	1,125	460	69.1	2,661	2,661	0	2,661
Rents	873	1,205	331	38.0	3,493	3,493	0	3,493
Tas Water Distributions	652	543	(109)	(16.7)	2,606	2,606	0	2,606
Total Revenue	44,793	57,110	12,287	27.4	179,172	179,172	0	179,172
Expenditure								
Labour	20,844	19,301	1,543	7.4	77,420	77,420	0	77,420
Materials and Services	9,909	10,476	(568)	(5.7)	39,635	39,635	0	39,635
Energy Costs	618	565	53	8.5	2,471	2,471	0	2,471
Finance Costs	337	17	319	94.8	1,346	1,346	0	1,346
Fire Levy	3,776	3,776	(0)	(0.0)	15,105	15,105	0	15,105
Depreciation	9,250	9,250	0	0.0	37,000	37,000	0	37,000
Asset Write-offs	375	133	242	64.5	1,500	1,500	0	1,500
Bad Debts	100	0	100	100.0	400	400	0	400
Other Expenses	1,375	628	747	54.3	5,500	5,500	0	5,500
Total Expenditure	46,583	44,147	2,436	5.2	180,377	180,377	0	180,377
Underlying Result	(1,790)	12,963	14,723	822.5	(1,205)	(1,205)	0	(1,205)

2.2. Year-to-date Variations:

2.2.1. As at 30 September 2024, Revenue is \$12.3 million above budget. This is primarily due to:

2.2.1.1. Rates and Charges are \$9.6 million above budget, primarily due to customers who pay their full rates in the first quarter;

2.2.1.2. Other Fees and Charges are \$2.3 million above budget. This is predominately due to additionally landfill income. Also included are development appraisal fees and the University of Tasmania rates equivalency payments; and

2.2.1.3. Interest revenue is \$460,000 above budget, primarily due to the timing of term deposit maturities and Westpac interest amounts.

2.2.1.4. The increases are offset by Fines which are \$643,000 below budget relating to service interruptions from the installation of new parking sensors.

2.2.2. As at 30 September 2024, Expenditure is \$2.4 million below budget. This is primarily due to:

2.2.2.1. \$1.5 million in Labour expenditure due to vacancies across the organisation; and

2.2.2.2. \$747,000 in Other Expenses due to the timing of grant payments with minimal payments made in the first quarter of 2024-25.

2.3. Capital Activities:

Capital Category	Year to Date				Original Budget	Full Year Revised (Approved) Budget	Revised (Pending) Budget
	Budget	Expenditure	Variance	Variance			
	\$'000	\$'000	\$'000	%	\$'000	\$'000	\$'000
New Assets	1,611	391	1,220	75.7	6,774	6,979	(14)
Renewal Assets	7,084	1,685	5,399	76.2	19,346	21,106	18
Upgrade Assets	3,810	905	2,905	76.2	6,030	6,530	(343)
Expensed	18	36	(18)	(98.3)	100	100	0
Plant and Equipment	875	360	515	58.9	3,500	3,500	0
Total	13,398	3,377	10,022	74.8	35,751	38,216	(339)

2.3.1. As at 30 September 2024, the Capital Works Program expenditure was \$10 million below the year-to-date budget.

2.3.2. At the end of the September 2024 quarter, 9 per cent of the total budget has been expended.

3. Capital Variation Requests

- 3.1. The following amendments to the existing capital budget are proposed as follows:

Category	Net Amount (\$'000)	Transfer From	Transfer To										
Capital Transfer	0	External funding received for the warm water pool - \$2,650,000	<p>The Tasmania Government has approved the redirection of the warm water pool grant funding to the below projects:</p> <table border="1"> <tbody> <tr> <td>J002039 - New Town Netball Courts Upgrade</td> <td>\$500,000</td> </tr> <tr> <td>J002488 - DKHAC Moveable Bulkhead</td> <td>\$632,073</td> </tr> <tr> <td>J001573 - DKHAC Tile 50m concourse</td> <td>\$150,000</td> </tr> <tr> <td>J001528 - DKHAC Chemical Delivery Area-Vehicle Bay Fitout Re</td> <td>\$37,777</td> </tr> <tr> <td>J002552 - DKHAC Spa, Steam Room and Sauna amenity and plant upgrade</td> <td>\$250,000</td> </tr> </tbody> </table>	J002039 - New Town Netball Courts Upgrade	\$500,000	J002488 - DKHAC Moveable Bulkhead	\$632,073	J001573 - DKHAC Tile 50m concourse	\$150,000	J001528 - DKHAC Chemical Delivery Area-Vehicle Bay Fitout Re	\$37,777	J002552 - DKHAC Spa, Steam Room and Sauna amenity and plant upgrade	\$250,000
J002039 - New Town Netball Courts Upgrade	\$500,000												
J002488 - DKHAC Moveable Bulkhead	\$632,073												
J001573 - DKHAC Tile 50m concourse	\$150,000												
J001528 - DKHAC Chemical Delivery Area-Vehicle Bay Fitout Re	\$37,777												
J002552 - DKHAC Spa, Steam Room and Sauna amenity and plant upgrade	\$250,000												

Category	Net Amount (\$'000)	Transfer From	Transfer To						
			<table border="1"> <tr> <td data-bbox="962 392 1220 589">J002553 - Domain Athletic Centre - Lighting and PA System</td> <td data-bbox="1220 392 1396 589">\$735,000</td> </tr> <tr> <td data-bbox="962 589 1220 754">J002554 - Saunders Cres Playground</td> <td data-bbox="1220 589 1396 754">\$205,150</td> </tr> <tr> <td data-bbox="962 754 1220 952">J002497 - Parliament St Slide Replacement</td> <td data-bbox="1220 754 1396 952">\$140,000</td> </tr> </table>	J002553 - Domain Athletic Centre - Lighting and PA System	\$735,000	J002554 - Saunders Cres Playground	\$205,150	J002497 - Parliament St Slide Replacement	\$140,000
J002553 - Domain Athletic Centre - Lighting and PA System	\$735,000								
J002554 - Saunders Cres Playground	\$205,150								
J002497 - Parliament St Slide Replacement	\$140,000								
Capital Transfer	0	J002287-Program Contingency - \$18,000	Allocation from the contingency fund to enable surface repairs on the Risdon Road bridge. J002531 – 24-25 Parks Pavement -\$18,000						
Capital Transfer	0	J002287-Program Contingency - \$16,652	An additional allocation from the contingency fund to enable the project to proceed following the confirmation of grant funding. J002524 – Forest Road Pedestrian Improvement - \$16,652						
Capital Transfer	0	J002287-Program Contingency - \$10,000	Allocation from the contingency fund due to increase cost for the parking sensor replacement. J001164 - Parking Sensor Replacement - \$10,000						

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Revenue Increase	\$140,188		Grant funding received to undertake this project. J002524 – Forest Road Pedestrian Improvements - \$140,188
Capital Expenditure Increase	\$140,188		J002524 – Forest Road Pedestrian Improvements - \$140,188
Capital Revenue Decrease	(\$500,000)	The initial budget had an allocation of \$500,000 that had already been received in 2023-24. This adjustment is to reflect the correct grant funding amount. J001468- Queenborough Oval Changerooms Redevelopment – \$500,000	
Capital Expenditure Decrease	(\$500,000)	J001468- Queenborough Oval Changerooms Redevelopment – \$500,000	
Capital Revenue Decrease	(\$14,025)	This adjustment is to reflect the correct grant funding amount. J002434-Domain Athletic Centre New Shelter- \$14,000	
Capital Expenditure Decrease	(\$14,025)	J002434-Domain Athletic Centre New Shelter- \$14,000	

4. Loans and Investments

4.1. As at 30 September 2024, the City had:

- 4.1.1. Four loans with an outstanding balance of \$38.4 million.
- 4.1.2. 21 term deposit investments, with the total invested being \$67 million.
- 4.1.3. \$26.3 million in cash, in addition to the investments. The total included \$1.8 million in the Heritage Account.

5. Recommendation

That:

- 1. The Quarterly Financial Report for the period ending 30 September 2024 be noted; and**
- 2. The below proposed capital variation requests to the 2024-25 Budget Estimates be approved:**

Category	Net Amount (\$'000)	Transfer From	Transfer To	
Capital Transfer	0	External funding received for the warm water pool - \$2,650,000	J002039 - New Town Netball Courts Upgrade	\$500,000
			J002488 - DKHAC Moveable Bulkhead	\$632,073
			J001573 - DKHAC Tile 50m concourse	\$150,000
			J001528 - DKHAC Chemical Delivery Area-Vehicle Bay Fitout Re	\$37,777
			J002552 - DKHAC Spa, Steam Room and Sauna amenity and plant upgrade	\$250,000
			J002553 - Domain Athletic Centre - Lighting and PA System	\$735,000

Category	Net Amount (\$'000)	Transfer From	Transfer To	
			J002554 - Saunders Cres Playground	\$205,150
			J002497 - Parliament St Slide Replacement	\$140,000
Capital Transfer	0	J002287-Program Contingency FY24/25 - \$18,000	J002531 – 24-25 Parks Pavement - \$18,000	
Capital Transfer	0	J002287-Program Contingency FY24/25 - \$16,652	J002524 – Forest Road Pedestrian Improvements - \$16,652	
Capital Transfer	0	J002287-Program Contingency FY24/25 - \$10,000	J001164 - Parking Sensor Replacement - \$10,000	
Capital Revenue Increase	\$140,188		J002524 – Forest Road Pedestrian Improvements - \$140,188	
Capital Expenditure Increase	\$140,188		J002524 – Forest Road Pedestrian Improvements - \$140,188	
Capital Expenditure Decrease	(\$500,000)	J001468-Queenborough Oval Changerooms Redevelopment – \$500,000		
Capital Revenue Decrease	(\$500,000)	J001468-Queenborough Oval Changerooms Redevelopment – \$500,000		

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Revenue Decrease	(\$14,025)	J002434-Domain Athletic Centre New Shelter- \$14,000	
Capital Expenditure Decrease	(\$14,025)	J002434-Domain Athletic Centre New Shelter- \$14,000	

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.



Michelle Wickham
CHIEF FINANCIAL OFFICER

Date: 5 November 2024

File Reference: F24/92079

19. 2024-25 Capital Works Program Report as at 30 September 2024
File Ref: F24/92129

Report of the Manager Programming & Delivery and the Acting Director
Connected City of 28 October 2024.

Delegation: Council

REPORT TITLE: 2024-25 CAPITAL WORKS PROGRAM REPORT AS AT 30 SEPTEMBER 2024**REPORT PROVIDED BY:** Manager Programming & Delivery
Acting Director Connected City**1. Report Summary**

- 1.1. The purpose of this report is to provide the Council with an update of the City of Hobart 2024-25 Capital Works Program.
- 1.2. In July 2024, the Council allocated a total of \$32.25M (excluding property, plant, and equipment) for the 2024-25 Capital Works Program. The total budget comprises of Council investments and various grants from both the State and Federal Governments.
- 1.3. In the first quarter of 2024, one project was cancelled. Additionally, the carry-forward project amount increased, and the funding reallocation for the DKHAC warm water pool was approved. These adjustments brought the total 2024-25 Capital Works Program budget to \$35.37M.
- 1.4. As of 30 September 2024, the actual capital works expenditure for the 2024-25 financial year was \$3M. Additionally, a further \$2.9M in capital works has been committed, bringing the total value of works underway to \$5.9M, which is 17% of the total budget.

2. Key Issues**Program Value and Capacity Update -**

- 2.1. As of 30 September, the total program value has increased to \$35.37M. This figure includes a reallocation of \$2.65M for the DKHAC project and an additional \$1.5M in carry-forward projects from the 2023-24 financial year due to contracted works unable to be completed by the 30 June 2024, and therefore has increased the value of the 2024-25 Capital Works Program. However, based on the historical data, the organisation's capacity to deliver these projects still remains limited.
- 2.2. The City Project Office will aim to deliver a minimum of 70% of the approved Capital Works Program to ensure the City continues to renew and upgrade its infrastructure, and maintains the adopted level of service. This Key Performance Indicator (KPI) is critical for maintaining our asset renewal targets and supporting the long-term delivery of essential services.

- 2.3. As of 30 September, the total Work in Progress (WIP) pending capitalisation stands at approximately \$60.1M with outstanding WIP remaining at \$54.8M. A total of \$2.5M in Work in Progress (WIP) was written off at 30 June 2024. The high value of the remaining WIP continues to present a significant risk to the organisation, resulting in delay in depreciation, misalign budgets, and inaccurate long term financial projections.

3. Recommendation

That the report titled '2024-25 Capital Works Program Report as at 30 September 2024', dated 23 October 2024, be noted.

4. Background

- 4.1. In July 2024, the Council allocated a total of \$32.25M (excluding property, plant, and equipment) for the 2024-25 Capital Works Program. This allocation includes \$27.7M for Priority 1 capital works projects, and \$4.5 million for carry forward projects from the 2023-24 financial year. The total budget comprises of Council investments and various grants from both the State and Federal Governments.
- 4.2. In the first quarter of 2024, the Pedestrian Priority Phase – CBC Junction Upgrade was cancelled due to an unsuccessful grant application.
- 4.3. Additionally, the City identified approximately \$5.9 million in carry-forward projects. The approved reallocation of \$2.65M in grant funding from DKHC Warm Water Pool project increased the total 2024-25 Capital Works Program value and freed up approximately \$900k of Council funds, which adjusted the total budget to \$35.37M.
- 4.4. These savings could have been reallocated towards the Program Contingency, but due to the larger than expected value of contracted works carried forward from 2023-24 financial year to the 2024-25 financial year of approximately \$5.9M, this has reduced the estimated Contingency to approximately \$500,000. The exact value is subject to further review by Finance and will likely be available in the October 2024 budget variance report.

5. Discussion

- 5.1. Significant improvements have been made in finalising the budget and commencing project delivery, compared to the Quarter 1 timeline from the previous year. These improvements, which continue into the current financial year, are driven by:
 - Active and efficient utilisation of PMO365 to prioritise and manage all active and proposed projects.
 - Continued effective budget management, program management and governance through the centralised project office and oversight via the Capital Projects Committee (CPC).
 - Continued alignment with the Project Management Framework (PMF) to streamline and support project delivery.

- 5.2. As of 30 September 2024, the total budgeted project expense is approximately \$3M, representing 9% of the total budget. The outstanding commitment is \$2.9M, bringing the combined expenditure and commitments to \$5.9M. This total represents 17% of the overall budget allocated for the project.

- 5.3. The cumulative total program expenditure based on various project stages as of 2024-25 financial year is as follows:

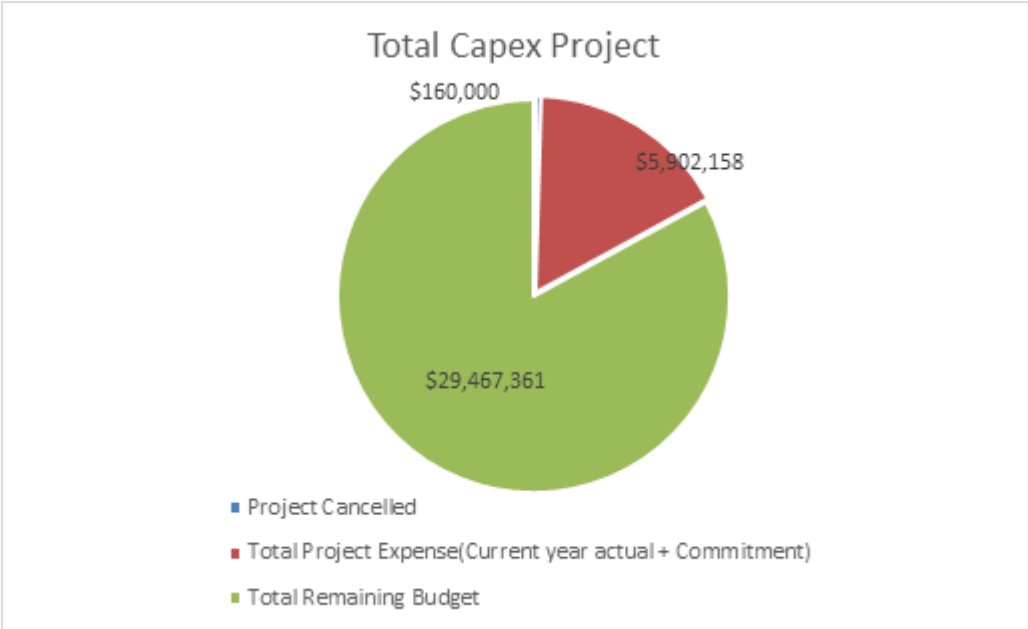


Figure 1: Overall Program Status

5.4. As of 30 September, the status of infrastructure projects is as follows:

- \$16M worth of projects in delivery stage.
- \$11.1M in project planning stage.
- \$1.7M which has yet to commence planning or delivery works.

5.5. The budget allocation across the various project stages indicates that approximately 45% of the capital funding is in delivery stage as per the September reporting period, which reflects healthy delivery progression.

5.6. For non-infrastructure projects, a total budget of \$5.4M is still underway. This includes the \$4.5M allocation for the Greater Hobart Ferry Services Expansion project, which is focusing on the completion of conceptual and planning works.

5.7. A breakdown for current project stages for 2024-25 financial year is provided below:

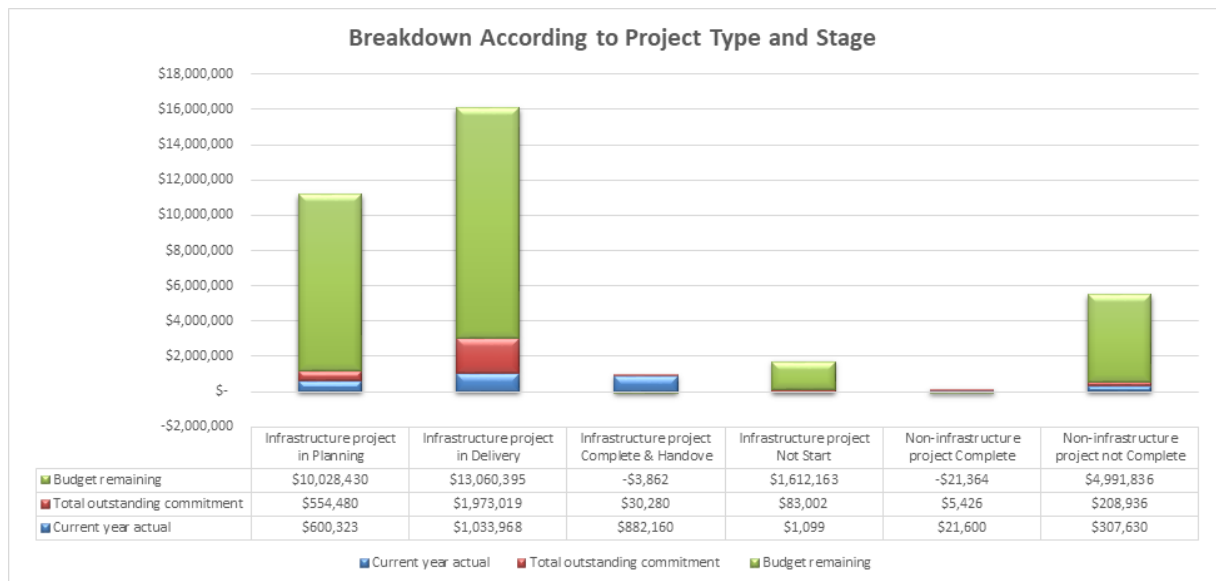


Figure 2: Budget Breakdown Based on Current Project Stages

5.8. In the first quarter of 2024, three primary external risks have been identified regarding project delivery:

- **Procurement and Budget Risks:** There is a risk of increased project costs due to higher-than-anticipated market prices and resource constraints which may delay contractor engagement.

- **Environmental and Infrastructure Risks:** A large proportion of projects required some form of heritage, environmental, or planning approval which requires considerable amount of time to finalise design and scope prior to construction works. This has impact on the delivery timeline and cost implication.
- **Safety, Disruption to Public and Operational Risks:** Stormwater and roads projects make up a significant proportion of the Capital Works Program. These works are normally disruptive to the public and businesses therefore requires careful planning and delivery methodology to minimise impact to the public.

5.9. All projects valued over \$1M are listed as Key Major projects, a summary of the status update are list below:

Name	Budget	Status	Comment
New Town Rivulet Estuary Restoration Project	\$ 2,152,000	Delivery	Planning approvals and procurement expected to progress in early 2025. Grant funding decision likely to be announced by the end of October.
Queenborough Oval Changerooms Redevelopment	\$ 3,254,731	Delivery	Preferred contractor identified and currently working to award contract.
Greater Hobart Ferry Service Expansion	\$ 4,500,000	Planning	Scope for this financial year allocated for conceptual and planning works.
New Town Netball Courts Upgrade	\$ 1,344,315	Planning	Consultant working to finalise detailed design and develop tender documentation.
Goulburn St - Forest to Cavell - Joint treatment and Overlay	\$ 1,155,000	Planning	Plans and tender specification finalised and preparing for procurement of suitably qualified contractor.
24-25 Reseal Prep Program 1	\$ 1,141,000	Delivery	Completed in October.
24-25 Reseal Prep Program 2	\$ 1,090,000	Planning	Works to commence in October following completion of Program 1.
24-25 Reseals (Slurry) Program 1	\$ 1,141,000	Planning	The procurement process is underway, aiming to engage a contractor by November 2024.

6. Hobart: A Community Vision For Our Island Capital

6.1. The document includes eight pillars that represent the major parts of Hobart life. Pillar 7 is Built Environment.

7.3 *Infrastructure and services are planned, managed and maintained to provide for community wellbeing.*

7.3.2 *Enhance asset management practices, to ensure assets meet current and future needs in line with strategic priorities and the impacts of climate change.*

7.3.3 *Ensure City-owned assets and public spaces are accessible, of high quality and provide a high level of amenity to meet community and visitor requirements.*

7. Capital City Strategic Plan

7.1. The delivery of the Capital Works Program aligns with the City of Hobart Capital City Strategic Plan 2023, namely:

Pillar 7: Built Environment

7.3.1 *Ensure the City's infrastructure supports health and wellbeing and is affordable and accessible for all.*

7.3.3 *Ensure City-owned assets and public spaces are accessible, of high quality and provide a high level of amenity to meet community and visitor requirements.*

8. Financial Viability

8.1. The current Program Contingency is estimated at \$1.3M (excluding property, plant, and equipment). This amount includes the reallocation of funds from the DKHAC Warm Water Pool project. However, an ongoing review of the contingency fund is being conducted in collaboration with the Finance team. The purpose of this review is to adjust the contingency amount, primarily due to the additional \$1.5M in carry-forward projects from the 2023-24 financial year.

9. Innovation and Continuous Improvement

- 9.1. The key initiatives reported in the 2023-24 Capital Work Program Report as at 30 June 2024, includes the updated Project Management Framework (PMF), the PMO365 system, and the Capital Projects Committee (CPC), which continues to progress as expected. Staff training and system usage remain on track, with no significant changes or issues to report currently. Ongoing efforts to enhance project delivery capabilities are in line with previous reports.

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.



Mao Cheng
**MANAGER PROGRAMMING &
DELIVERY**



Felicity Edwards
**ACTING DIRECTOR CONNECTED
CITY**

Date: 28 October 2024
File Reference: F24/92129

20. Procurement - Quotation Exemption Report
File Ref: F24/90831

Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 4 November 2024 and attachment.

Delegation: Council

REPORT TITLE: PROCUREMENT - QUOTATION EXEMPTION REPORT**REPORT PROVIDED BY:** Manager Rates, Procurement and Risk
Director City Enablers**1. Report Summary**

- 1.1. The purpose of this report is to provide a listing of exemptions from the requirement to seek three written quotations granted for the period 1 July to 30 September 2024 for the information the Council.
- 1.2. The community benefit is providing transparency and delivering best value for money through strategic procurement decision-making.

2. Key Issues

- 2.1. It is a legislative requirement that Council establishes and maintains procedures for reporting by the Chief Executive Officer to Council in relation to the purchase of goods, services or works where a public tender or quotation process is not used.
- 2.2. At its meeting on 19 March 2018, the Council resolved that a report of exemptions granted from the requirement to seek three written quotes be presented quarterly as at 31 March, 30 June, 30 September and 31 December each year.
- 2.3. A report is attached for the period 1 July to 30 September 2024.
- 2.4. It is proposed that the Committee note the exemptions from the requirement to seek three written quotes granted for the period 1 July to 30 September 2024.

3. Recommendation

That the Council note the exemptions granted from the requirement to seek three written quotations for the period 1 July to 30 September 2024, marked as Attachment A to this report.

4. Background

- 4.1. At its meeting on 19 March 2018, the Council resolved inter alia that:
 - 4.1.1. *A report of exemptions granted from the requirement to seek 3 written quotes be presented to the Finance and Governance Committee as at 31 March, 30 June, 30 September and 31 December each year.*
- 4.2. A report outlining the quotation exemptions from the requirement to seek three written quotes granted during the period 1 July to 30 September 2024 is attached – **refer Attachment A.**
- 4.3. As outlined in the City's Code for Tenders and Contracts (the Code) where a Council Contract does not exist the City will seek a minimum of three written quotes for procurements between \$50,000 and \$249,999.
- 4.4. There may be occasions where, for a number of reasons, quotation(s) cannot be obtained / sought from the market or where doing so would have no additional benefit to the City or the market.
- 4.5. Therefore, exemptions from the requirement to seek written quotes can be sought from the Divisional Director but only if an acceptable reason exists as outlined in the Code, as follows:
 - (a) where, in response to a prior notice, invitation to participate or invitation to quote:
 - no quotations were submitted; or
 - no quotations were submitted that conform to the essential requirements in the documentation;
 - (b) where the goods, services or works can be supplied only by a particular supplier and no reasonable alternative or substitute goods, services or works exist e.g. a sole supplier situation exists;
 - (c) for additional deliveries of goods, services or works by the original supplier that are intended either as replacement parts, extensions or continuing services;
 - (d) where there is an emergency and insufficient time to seek quotes for goods, services or works required in that emergency;
 - (e) for purchases made under exceptional circumstances, deemed reasonable by the responsible Director;
 - (f) where a quotation was received within the last 3 months for the same goods, services or works (e.g. a recent value for money comparison was made);
 - (g) for purchases made under exceptionally advantageous conditions that only arise in the very short term, such as from unusual disposals, liquidation, bankruptcy or receivership and not for routine purchases from regular suppliers; or

(h) for a joint purchase of goods or services purchased with funds contributed by multiple entities, where Council is one of those entities and does not have express control of the purchasing decision.

4.6. For the period 1 July to 30 September 2024 there were seven exemptions granted, where expenditure was between \$50,000 and \$249,999 and therefore three written quotations were required to be sought in line with the Code.

4.7. Five exemptions were granted on the grounds that the goods/services could only be supplied by a particular supplier and no reasonable alternative or substitute goods/services exist, one exemption was granted on the grounds that it was additional deliveries of services from the original supplier considered continuing services and one exemption was granted on both of these grounds.

5. Legal, Risk and Legislative Considerations

5.1. Regulation 28 of the *Local Government (General) Regulations 2015* states that the Council's Code for Tenders and Contracts must *(j) establish and maintain procedures for reporting by the general manager to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used.*

6. Discussion

6.1. It is proposed that the Council note the exemptions granted from the requirement to seek three written quotes for the period 1 July to 30 September 2024.

6.2. As outlined in the Code, quotation exemptions for a value under \$50,000, that is where 1 or 2 written quotations are required to be sought but an exemption from that requirement has been granted by the relevant Divisional Director, have been reported to the Chief Executive Officer.

6.3. All approvals for the exemptions from the requirement to Tender are sought and reported through the formal Council approval processes.

7. Capital City Strategic Plan

7.1. The City's Code for Tenders and Contracts is referenced in this report as it provides a framework for best practice procurement and sets out how the City will meet its legislative obligations in respect to procurement, tendering and contracting.

7.2. This report is consistent with strategy 8.2.6 in the City of Hobart Capital City Strategic Plan 2023, being:

Delivery high quality and timely procurement to support the delivery of programs, projects and services while achieving value for money.

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

8.1.1. All expenditure noted in the attached listing of quotation exemptions granted was funded from the 2024-25 budget estimates.

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
**MANAGER RATES, PROCUREMENT
AND RISK**



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 4 November 2024
File Reference: F24/90831

Attachment A: Report - Quotation Exemptions Granted (3 Quotes) 1 July to 30 September 2024 (Supporting information) 

REPORT OF THE CHIEF EXECUTIVE OFFICER

21. City of Hobart Mid-Term Report
File Ref: F24/97097

Report of the Chief Executive Officer of 6 November 2024 and attachment.

Delegation: Council

REPORT TITLE: CITY OF HOBART MID-TERM REPORT

REPORT PROVIDED BY: Chief Executive Officer

1. Report Summary

- 1.1. The current Council was elected in October 2022 and inducted in November 2022 and has now served half of its four (4) year term.
- 1.2. The purpose of this Mid-Term Report is to acknowledge and objectively report on the progress of the Council against the community pillars of the City of Hobart Capital City Strategic Plan 2019-2029 (updated 2023).
- 1.3. The Mid-Term Report will assist in understanding the Council's current progress in terms of achieving the ambitious regional outcomes that are framed by the Strategic Plan and in framing the focus areas for the next two years of the Council term.

2. Key Issues

- 2.1. The key issues of this report centre on transparently demonstrating how the current Council is delivering against the community pillars of the Hobart Capital City Strategic Plan 2019-2029 (updated 2023), and consequently, their local obligations under the *Local Government Act 1993*.

3. Recommendation

That the Council receive and note the City of Hobart Mid-Term Report 2022-2024

4. Background

- 4.1. Under the *Local Government Act 1993*, the Elected Members of a council collectively have the following functions:
 - 4.1.1. to develop and monitor the implementation of strategic plans and budgets;
 - 4.1.2. to determine and monitor the application of policies, plans and programs for –
 - 4.1.2.1. the efficient and effective provision of services and facilities; and
 - 4.1.2.2. the efficient and effective management of assets; and
 - 4.1.2.3. the fair and equitable treatment of employees of the council;
 - 4.1.3. to facilitate and encourage the planning and development of the municipal area in the best interests of the community;
 - 4.1.4. to appoint and monitor the performance of the general manager;
 - 4.1.5. to determine and review the council's resource allocation and expenditure activities; and
 - 4.1.6. to monitor the manner in which services are provided by the council.
- 4.2. This Mid-Term report outlines the performance of the current Council in terms of the financial performance of the Council, together with the actions that have been undertaken over the first two years of its term.
- 4.3. The actions have been included in the report under the Community Pillars of the Strategic Plan, which represent the major parts of life in Hobart and provide the framework for our organisation.
- 4.4. The Community Pillars area;
 - 4.4.1. Pillar 1: Sense of Place
 - 4.4.2. Pillar 2: Inclusion Participation and Belonging
 - 4.4.3. Pillar 3: Creativity & Culture
 - 4.4.4. Pillar 4: City Economies
 - 4.4.5. Pillar 5: Movement & Connectivity
 - 4.4.6. Pillar 6: Natural Environment

4.4.7. Pillar 7: Built Environment

4.4.8. Pillar 8: Governance & Civic Involvement

5. Legal, Risk and Legislative Considerations

5.1. The key legal, risk and legislative considerations are centred on compliance with the *Local Government Act 1993*.

6. Discussion

6.1. The City of Hobart Mid-Term Report outlines that the Council has completed a significant number of actions over the first two (2) years of its term and has made significant progress against the Strategic Plan and has improved the organisations budget performance, recording a \$7.48M underlying surplus in 2023-24.

7. Hobart: A Community Vision For Our Island Capital

7.1. The purpose of the Community Vision is to guide all of the City of Hobart's work, so that Council decisions help create the Hobart that our communities want, for current and future generations.

7.2. Specific strategies, plans, actions and measurements are then outlined within the Capital City Strategic Plan.

8. Capital City Strategic Plan

8.1. The purpose of the Mid-Year Report is to report against the achievements of the Capital City Strategic Plan. These are outlined in the attached report.

9. Financial Viability

9.1. Funding Source and Impact on Current Year Operating Result

9.1.1. There are no funding implications resulting from this report.

9.2. Impact on Future Years' Financial Result

9.2.1. There are no funding implications resulting from this report.

9.3. Asset Related Implications

9.3.1. There are no asset implications resulting from this report.

10. Communications Strategy

10.1. The Council's decision for this matter is to be communicated following the usual conventions for Council meetings.

11. Innovation and Continuous Improvement

11.1. This is the inaugural mid-term report for the City of Hobart which provides a new level of transparency to the community.

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.



Michael Stretton
CHIEF EXECUTIVE OFFICER

Date: 6 November 2024
File Reference: F24/97097

Attachment A: City of Hobart Mid-Term Report 2022-24 (Supporting information) 

**22. Code of Conduct Determination Report
Councillor Ryan Posselt v Councillor Louise Elliot
File Ref: F24/95951**

Report of the Chief Executive Officer of 6 November 2024 and attachment.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

**Code of Conduct Determination Report
Councillor Ryan Posselt v Councillor Louise Elliot**

Pursuant to section 28ZK(2) of the *Local Government Act 1993* I have been provided with a copy of a determination report from the Code of Conduct Panel in respect to a complaint lodged by Councillor Ryan Posselt against Councillor Louise Elliot.

The Act requires that I table this at the first meeting of the Council which is practicable to do so and which is open to the public. As such, a copy of the determination report is included as **Attachment A** to this report.

RECOMMENDATION

That the Council receive and note the Code of Conduct Determination Report in respect to a complaint lodged by Councillor Ryan Posselt against Councillor Louise Elliot, shown as Attachment A to this report.

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.

Michael Stretton
CHIEF EXECUTIVE OFFICER

Date: 6 November 2024
File Reference: F24/95951

Attachment A: Code of Conduct Determination Report (Supporting information)



MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015****23. Collins Street Tactical Bicycle Infrastructure Trial Engagement Report
File Ref: F24/96964**

The Deputy Lord Mayor Councillor Sherlock and Councillor Harvey

Motion

“That Council:

1. Provide a copy of the Engagement Report on the Collins Street Tactical Bicycle Infrastructure Trial to the Confederation of Greater Hobart Business as contained in the Council Meeting Agenda dated 16 September 2024 to ensure members are informed as to the extent of engagement and findings.
2. Invite the Confederation of Greater Hobart Businesses to discuss with its members concerns with relevant Council officers with the Collins Street Tactical Bicycle Infrastructure Trial to ensure the Confederation fully understands the extent of the trial and why alternative configurations could not be accommodated.
3. Officers prepare a report on the current issues, costings and timings on extending the operating hours of the Centrepunkt and other Council operated multi-storey carparks in the CBD to allow utilisation beyond the current operating hours.”

Rationale:

“Council recognises the important health benefits of cycling, the rights of cyclists to ride safely and that safe infrastructure is required. On 31 October 2024 there was a public meeting on the Collins Street Tactical Bicycle Infrastructure Trial. This motion appreciates the sentiments and commentary noted at the public meeting and wishes to address the concerns of the businesses and individuals who were present at that meeting.

Commentary at the meeting emphasised that Council had not adequately consulted on the issue. Business owners discussed many issues, but several comments highlighted that the report had not only lacked consultation regarding ancillary impacts, but also did not resolve issues of:

- the impacts of removing loading zones for businesses that have products required to be shipped in on pallets,
- development applications for businesses with the requirement of approved parking that would no longer be available under their development application if parking was removed,

- the limited hours of operation of the City's major multi-storey car parks,
- the impact of bike lanes on the airport bus, which would potentially have to park on the road and have the effect of stopping traffic,
- care workers bringing in individuals to the City that require front door service,
- the period of time that businesses would be impacted during the infrastructure process, which could be around upwards of a 30% income reduction and
- impacts on the night economy.

The rationale of this motion is to consider some of the concerns recorded and raised at this meeting and respond with the evidence that has been obtained, identified and potentially worked through, by Council officers."

Administration Response to Notice of Motion

Discussion:

1. Council officers are happy to provide the engagement report to the Confederation of Greater Hobart Business.
2. Further, Council officers would welcome the opportunity to sit down with representatives from the Confederation of Greater Hobart Businesses to continue to discuss their concerns, and further explain the rationale for the particular design that has been agreed to by the Council.
3. Council officers are currently working through the various processes and operational needs to ensure that the Centrepoint multi-storey car park can operate with extended opening hours. Once complete, officers will make this report available for Council.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Pillar 5 – Movement and Connectivity

Outcome: An accessible and connected city environment helps maintain Hobart's pace of life and ensuring that Hobart has effective and environmentally sustainable transport systems.

Strategy: Hobart Transport Strategy 2024
Central Hobart Plan 2023
Inner City Action Plan 2010
Hobart City Deal 2019

Legislation and Policy

Legislation: N/a

Policy: N/a

Financial Implications

1. No further financial implications for undertaking the proposed actions within this motion are anticipated.

24. Collins Street Cycleway Project
File Ref: F24/97003

Alderman Zucco, Councillors Kelly, Elliot, Alderman Bloomfield and Councillor Coats

Motion

“That:

1. The current Collins Street cycleway project be deferred indefinitely.
2. The Hobart City Council immediately undertake an independent economic impact study on potential effects to surrounding businesses in Collins Street and surrounding streets in the vicinity including the CBD business district”

Rationale:

“Consensus from the meeting of the Confederation of Greater Hobart Business held on 31 October 2024 was that the current proposal in its entirety goes too far and any future proposal MUST include an independent economic impact study on potential effects to surrounding businesses and the CBD in general. The meeting passed a motion to immediately proceed towards an elector poll should the Council not reconsider its intent on implementing bike ways within the CBD and business prescient to the detriment of the business sector.”

Administration Response to Notice of Motion**Discussion**

To respond to the concerns raised, there is a strong, evidence-based case supporting the economic and social benefits of introducing bicycle lanes in central business districts (CBDs), including Hobart's. All of these, however, were undertaken post the introduction of the infrastructure and it is not possible to be definitive in the Hobart context until you actually undertake the trial. Furthermore, it is important to appreciate that economic impacts are not the only determinant of an investment in transport infrastructure. Many infrastructure investments are made to improve choice and safety outcomes which is the primary driver in this case.

Notwithstanding the above the following are some research and case studies from other cities that have successfully implemented similar changes that maybe relevant in the Hobart context:

1. *Economic Benefits to Local Businesses*

- **Increased Foot Traffic:** Studies in multiple cities, including cities in Australia, have shown that implementing bike lanes encourages more people to visit the area, increasing foot traffic to nearby businesses. Research from Auckland, Christchurch, Newcastle and Geelong all found that foot traffic and sales increased in areas where protected bike lanes were installed. This can translate to higher sales for local businesses, as cyclists and pedestrians are more likely to stop and shop than those passing by in vehicles.
- **Diversification of Consumer Base:** Providing safer infrastructure for cyclists and pedestrians diversifies the consumer base, particularly because providing dedicated infrastructure can lead to more diverse people riding (women, older people, children). Those who may have otherwise avoided congested or car-dominated areas, feel more inclined to visit CBDs. This not only broadens the customer pool but also helps to create a more dynamic, inclusive retail environment that attracts a range of demographics.

2. *Social Benefits*

- **Improved Public Health:** Enabling active transport options such as biking contributes to a healthier community by encouraging physical activity. Healthier residents and workers can lead to reduced healthcare costs and increased productivity for businesses.
- **Enhanced Community Well-being:** Cities that invest in biking infrastructure often see an improvement in quality of life, as residents experience less pollution, reduced noise, and lower stress levels associated with heavy traffic. This can foster a stronger sense of community pride and cohesion, which supports a thriving CBD.
- **Reduced Traffic Congestion:** Rationalising parking and encouraging alternative modes of transport, such as biking, help reduce congestion in dense urban areas. This makes travel times shorter and more predictable for everyone, including delivery and service vehicles, improving the experience for businesses and customers alike.
- **Supporting Efficient Turnover:** Implementing parking rationalisation, such as adjusting pricing or converting some parking spaces to short-term use, can ensure that parking serves the highest number of people. By keeping parking spaces available for short-term visitors, businesses may see a steady influx of customers without relying on long-term parking that can reduce space for active transport infrastructure.

3. *Evidence from Other Cities*

1. Bendigo, Australia

- **Increased Customer Access and Economic Activity:** Bendigo, a city with a population under 150,000, implemented bike lanes and reduced CBD parking to create more shared spaces. A report from Bendigo's council found that businesses initially concerned about the loss of parking later reported increased customer visits, as people felt safer and more encouraged to walk or bike.

- **Improved Public Perception and Visitor Attraction:** The revitalisation effort in Bendigo not only helped attract more locals but also made the city more appealing to tourists. The improved urban landscape, enhanced by bike-friendly infrastructure, contributed to a stronger tourism economy. **Source:** City of Greater Bendigo (2021). *Creating a Healthy, Active, and Connected Greater Bendigo – Strategy Document*.

2. Geelong, Australia

- **Economic and Social Gains:** Geelong, with a population just under 300,000, developed bike lanes and reduced some car parking in parts of its CBD to improve public access and safety. Research from the Geelong council showed that businesses along the bike routes benefited from increased customer numbers, particularly during weekends and events. The focus on cycling and walking also helped reduce vehicle congestion, creating a more relaxed and accessible CBD environment.
- **Positive Business Feedback Over Time:** Although some business owners initially voiced concerns, follow-up surveys demonstrated an overall increase in customer satisfaction and spending. Geelong's example shows that smaller cities can achieve meaningful economic and social benefits by investing in cycling infrastructure. **Source:** City of Greater Geelong (2020). *Sustainable Mobility Plan 2020-2030*.

3. Dunedin, New Zealand

- **Boosted Local Spending:** Dunedin, with a population of around 130,000, implemented protected bike lanes in its CBD and initially faced similar concerns about reduced parking impacting businesses. However, surveys conducted by the Dunedin City Council showed an increase in foot traffic and reported that visitors who biked or walked into the CBD tended to spend more time and money at local businesses.
- **Social and Safety Improvements:** The improved infrastructure made the city safer and more accessible, especially for younger residents and families. This led to a more welcoming CBD environment that boosted social interactions and created a lively atmosphere appreciated by businesses, residents and visitors. **Source:** Dunedin City Council (2018). *Dunedin Urban Cycleways Programme – Evaluation Report*

This existing research from comparable cities supports the positive outcomes of bike lanes for businesses, residents, and the city at large but reiterate if it is the Council's preference for a definitive economic position of the broader economy of the CBD then such impacts should be assessed following the completion of the trial and would need to be sufficiently broad to capture all of the economic costs and benefits for the CBD. This assessment would come at an additional cost to the already agreed indicators of success for the project.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Pillar 5 – Movement and Connectivity

Outcome: An accessible and connected city environment helps maintain Hobart's pace of life and ensuring that Hobart has effective and environmentally sustainable transport systems.

Strategy: Hobart Transport Strategy 2024
Central Hobart Plan 2023
Inner City Action Plan 2010
Hobart City Deal 2019

Legislation and Policy

Legislation: N/a

Policy: N/a

Financial Implications

1. There would be some financial implications in undertaking a further independent review into the cycleways. The cost would be depended on the detail of the scope and noting it would need to take in the broader CBD could range from \$40,000 to \$80,000 or more.

25. RESPONSES TO QUESTIONS WITHOUT NOTICE
File Ref: F24/96231

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

The Council is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.



25.1 DAP vs Planning Authority

Memorandum of the Acting Director City Life 31 October 2024.

25.2 Transport Signage Throughout the City of Hobart

Memorandum of the Director City Futures 6 November 2024.

That the attached responses to Questions Without Notice be received and noted.

Attachment A: DAP vs Planning Authority (Supporting information) 
Attachment B: Transport Signage Throughout the City of Hobart (Supporting information) 

26. QUESTIONS WITHOUT NOTICE
File Ref: F24/81379

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

- (1) A councillor at a meeting may ask a question without notice –
 - (a) of the chairperson; or
 - (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a councillor must not –
 - (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson of a meeting may require a councillor to put a question without notice in writing.

BUSINESS ARISING**27. Questions Taken on Notice During Debate**
File Ref: F24/96236

In accordance with the Council's *Meetings: Procedures and Guidelines Policy*, attached is a register of questions taken on notice during debate of previous items considered by the Council.

Recommendation

That the register of questions arising during debate, marked as Attachment A, be received and noted.

Attachment A: Questions During Debate - as at November 2024 (Supporting information) 

28. CLOSED PORTION OF THE MEETING

RECOMMENDATION

That the Council resolve by absolute 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:

- Information of a confidential nature
- the sale of land for unpaid rates
- personal hardship of a ratepayer
- matters relating to possible litigation involving the council

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 | Communication from the Chairman |
| Item No. 3 | Leave of Absence |
| Item No. 4 | Consideration of supplementary Items to the agenda |
| Item No. 5 | Indications of pecuniary and conflicts of interest |
| Item No. 6 | Sale of Land for Unpaid Rates
LG(MP)R 15(2)(f), (g), (i) and (j) |
| Item No. 7 | Risk and Audit Panel - Re-appointment of Independent Member and Chairperson
LG(MP)R 15(2)(g) |
| Item No. 8 | QUESTIONS WITHOUT NOTICE
LG(MP)R 15(2)(g) |