



CITY OF HOBART

# AGENDA

OPEN PORTION OF THE COUNCIL MEETING  
MONDAY, 27 NOVEMBER 2023  
AT 5.00 PM



City of HOBART

## 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.

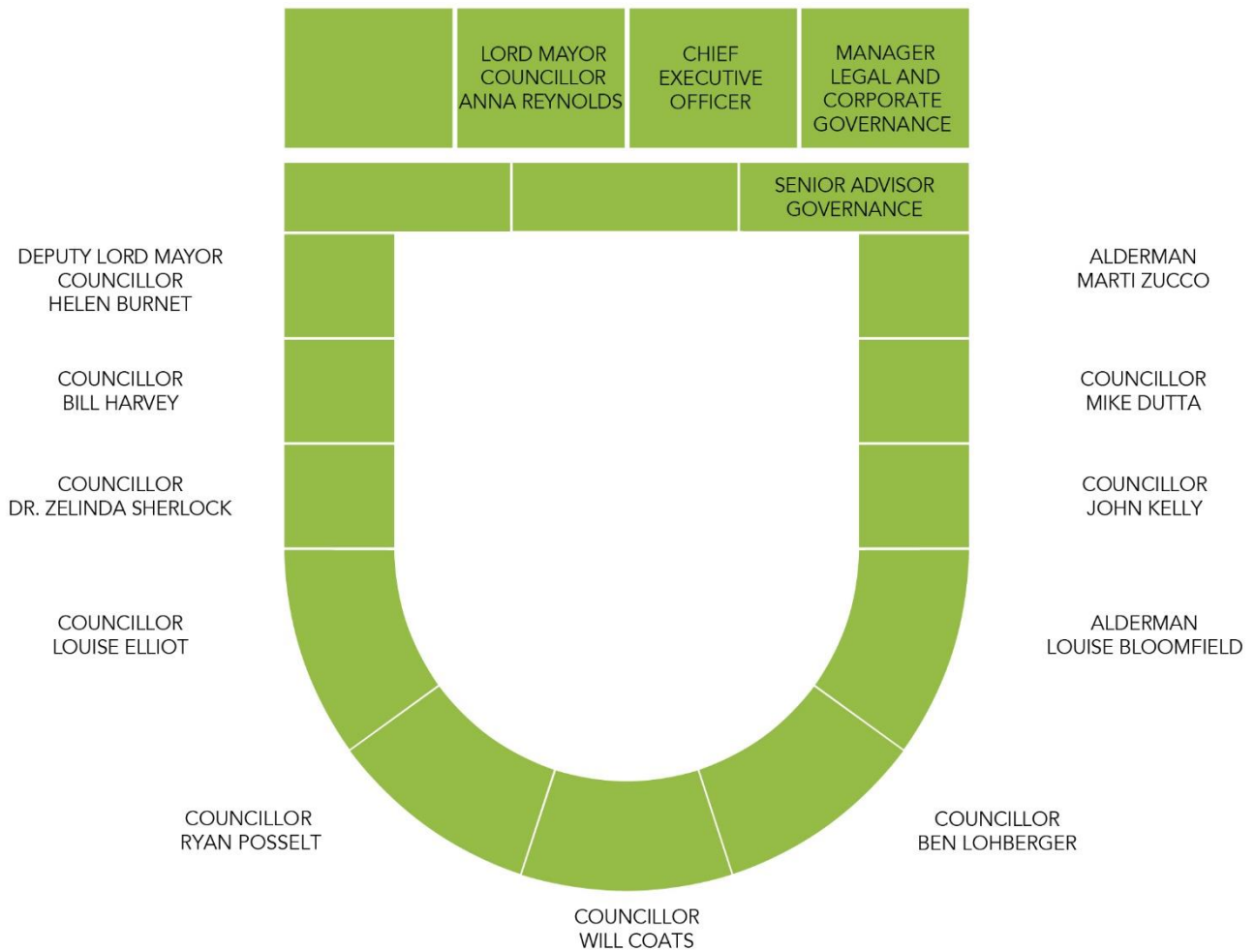
We resist mediocrity and sameness.

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, 27 NOVEMBER 2023 AT 5.00 PM.**

**Jacqui Allen**  
**Acting 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 H Burnet  
Alderman M Zucco  
Councillor W F Harvey  
Councillor M S C Dutta  
Councillor Dr Z E Sherlock  
Councillor J L Kelly  
Councillor L M Elliot  
Alderman L A Bloomfield  
Councillor R J Posselt  
Councillor B Lohberger  
Councillor W N S Coats

**APOLOGIES:**

**LEAVE OF ABSENCE:** Nil.

**1. ACKNOWLEDGEMENT OF COUNTRY**

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**2. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 30 October 2023](#), 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**

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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 CHAIRMAN**

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## **5. NOTIFICATION OF COUNCIL WORKSHOPS**

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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, 6 November 2023  
Purpose: Climate Strategy | Community Satisfaction and Business Surveys | Visitor Infrastructure for the Mountain

### **Attendance:**

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor H Burnet, Councillors B Harvey, M Dutta, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt, B Lohberger and W Coats

Date: Monday, 20 November 2023  
Purpose: Macquarie Point Precinct Plan | Briefing - Council Agenda

### **Attendance:**

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

## **6. PUBLIC QUESTION TIME**

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

### **6.1 Public Questions**

## **7. PETITIONS**

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## **8. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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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 Acting Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

## **9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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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**

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### **10. Local Area Mobility Plan for Battery Point and North Suburbs File Ref: F23/116070**

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Report of the Acting Manager City Mobility and the Director City Futures of 22 November 2023 and attachments.

Delegation: Council

**REPORT TITLE: LOCAL AREA MOBILITY PLAN FOR BATTERY POINT AND NORTH SUBURBS****REPORT PROVIDED BY:** Acting Manager City Mobility  
Director City Futures**1. Report Summary**

- 1.1. This report seeks Council endorsement for the final Local Area Mobility Plans (LAMPs) for Battery Point and the Northern Suburbs following engagement on the draft documents in August 2023.
- 1.2. This report covers the process taken in the development of the LAMPs for Battery Point and the Northern Suburbs, the engagement approach and engagement findings, and provides a summary of projects.
- 1.3. The LAMP project is aimed at providing active travel and sustainable choices for the community within their local areas by defining key connected, safe and convenient walking and cycling routes to and from destinations such as schools, local retail precincts, major parks and recreation areas and frequent bus stops.

**2. Recommendation*****That:***

1. ***The Council notes the outcomes of the second round of public engagement on the Local Area Mobility Plans (LAMPs) for Battery Point (Attachment C) and the Northern Suburbs (Attachment D) and;***
2. ***The Council endorse the Battery Point Local Area Mobility Plan (Attachment A) and the Northern Suburbs Local Area Mobility Plan (Attachment B) and that the recommended projects from the plans be considered for future financial year funding.***

**3. Background**

- 3.1. One of the key strategic priority for the City Mobility unit is to develop plans (Local Area Mobility Plans) for the local neighbourhood areas in the City. The Local Area Mobility Plan project has a primary objective: to identify connected walking and cycling corridors or routes that are convenient for road users and promote a sense of safety and comfort when navigating the local areas. This plan's foundation is in the collaboration with the communities within the local area and key stakeholders in the local areas, which will assist in valuable information such as frequent routes and barriers to walking and cycling.

- 3.2. At its meeting on 26 May 2021, the City Infrastructure Committee resolved:
1. That the report titled 'Local Area Mobility Plan' dated 21 May 2021 be received and noted for information.
- 3.3. The report noted that the LAMP would commence with a pilot to test various processes to developing a LAMP, with Battery Point and the Northern Suburbs (including suburbs of Lenah Valley, New Town and Mount Stuart) identified as pilot catchment areas.
- 3.4. The methodology and outputs for each LAMP was unique for each catchment area on the basis that each presented varying issues, transport needs and on the past engagement undertaken.
- 3.5. Complete Streets and PMP Urbanists were engaged to assist the City of Hobart in preparing the Battery Point and Northern Suburbs LAMPs respectively.
- 3.6. Stage One community engagement for both catchments occurred from November 2022 to December 2022 for a period of 4 weeks.

This engagement collected community feedback on walking and cycling experiences, including use of a Crowdsport survey (a mapping tool) to identify walking and cycling issues as well as ideas associated with locations in the catchment area. A pop-up session was also held with the Battery Point community to gather further data. Key themes were identified for each catchment area from the engagement outcomes, which are listed below:

3.6.1. Battery Point Themes:

- Limited space for pedestrians
- Street amenity and parking
- Lack of amenity in riding

3.6.2. Northern Suburbs Themes:

- Wide roads and high traffic speeds creating hostile environments for walking and cycling
- Absence of safe and comfortable riding environments
- Narrow and uncomfortable footpaths and crossing opportunities.

- 3.7. Draft LAMP reports were developed from the analysis of community feedback, data from previous consultations, technical and spatial data as well as consultation with internal key City of Hobart officers.

- 3.8. The draft documents included an analysis of the key issues for each catchment area, and identification of projects to address these issues and improve walking and cycling in the catchment areas.
- 3.9. The identified priority projects for each catchment focused around key retail/ community hubs that have long been identified for improvements or upgrades to local precincts.
- 3.10. The priority project for the Northern Suburbs LAMP are protected bicycle lanes and pedestrian upgrades on Augusta Road and New Town Road. Both Augusta Road and New Town Road were identified in the Local Retail Precincts Plan. The Lenah Valley Retail Precinct streetscape upgrades were completed in late 2018. Stage Two New Town Road streetscape upgrades were completed in October 2023. The LAMP priority project will enhance active mobility to the local precincts.
- 3.11. The priority projects for the Battery Point LAMP are streetscape upgrades to Montpelier Retreat and Hampden Road. Hampden Road was identified in the Local Retail Precincts Plan. A notice of motion regarding Montpelier Retreat footpath upgrades was made to the City Infrastructure Committee in late 2019.
- 3.12. The City Mobility unit will work closely with other areas in the organisation to develop an implementation plan for the LAMPs in Battery Point and the Northern suburbs.
- 3.13. At the request of the Battery Point Community Association, preliminary findings of the draft Battery Point LAMP were presented to the Association on Thursday, 4 May 2023 by the Manager City Mobility. Around 25 members of the Battery Point Community Association were in attendance.
- 3.14. A workshop was held with Elected Members on 13 June 2023, where the draft LAMPs were presented prior to community consultation on the draft documents.
- 3.15. Stage Two community engagement for both catchments occurred through July 2023 and August 2023 for a period of 4 weeks. This engagement collected community feedback on the draft LAMP documents and gauged community support for the identified priority projects.
- 3.16. Following the close of engagement, the City Mobility team worked with Complete Streets to review feedback received for each catchment. The final LAMP reports reflect the findings of this feedback and analysis undertaken by City officers.
- 3.17. Engagement reports for both catchments are included in **Attachments C and D**, which contain more detailed findings on key project proposals identified in the draft LAMPs. Further discussion of the engagement findings are included in this report under Section 5 and Section 11.

#### 4. Legal, Risk and Legislative Considerations

- 4.1. The primary risks associated with the LAMPs are in relation to implementation. There may be reputational impacts to the Council associated with LAMP projects not progressing due to budgetary implications.
- 4.2. The City Mobility unit has identified suitable grant programs for progression of each of the priority projects (Montpelier Retreat and Augusta Road) and will commence project planning upon endorsement.

#### 5. Discussion

- 5.1. The following discussion outlines in turn the key engagement findings and how these have shaped the final LAMPs for Battery Point and the Northern Suburbs.

##### ***Battery Point***

- 5.2. The draft Battery Point LAMP identified three barriers to access and mobility: limited pedestrian space, street amenity and parking, and a lack of comfortable places to ride. The solutions, actions and recommendations outlined in the draft LAMP sought to address these barriers.
- 5.3. More than 80% of respondents were generally supportive of the Battery Point LAMP, with the majority also agreeing that the LAMP would improve walking and bike riding in the catchment area.
- 5.4. Two priority projects were identified: streetscape improvements for Montpelier Retreat and Hampden Road. The majority of respondents strongly supported both Montpelier Retreat and Hampden Road being priority projects to improve mobility in Battery Point (50% for Montpelier Retreat project and 48% for Hampden Road project respectively).
- 5.5. Commentary regarding the options for Hampden Road streetscape improvements were mixed, with some supporting a two-way shared zone option, and other supporting the one-way option. Further consultation with the community will occur in developing the preferred streetscape design for this and for Montpelier Retreat.
- 5.6. The proposal contained in the draft LAMP to make Kelly Street one-way to improve pedestrian safety and connectivity received mixed support. Based on feedback received, a decision was made to pursue a 'shared street' environment rather than formalising one-way traffic movements. A shared street approach will enable improved pedestrian safety whilst acknowledging feedback from the community, which did not support a change to traffic direction.
- 5.7. A substantial number of comments highlighted the importance of the Battery Point walkway for improving bicycle and pedestrian connectivity to and from the CBD / Salamanca. Council has committed \$100,000 for

further planning and investigation of this route, and this project has been included in the Battery Point LAMP.

- 5.8. Other issues raised during consultation, including management of e-scooters and tourist buses, are most appropriately dealt with through liaison with providers of these mobility services to ensure appropriate management that balances the needs of users with amenity concerns raised by residents.
- 5.9. The Battery Point LAMP is included in **Attachment A**.

### ***Northern Suburbs***

- 5.10. The draft Northern Suburbs LAMP identified three barriers to access and mobility: wide roads and high traffic speeds, the absence of safe and comfortable riding environments, and narrow and uncomfortable footpaths. The solutions, actions and recommendations outlined in the draft LAMP sought to address these barriers.
- 5.11. More than 90% of respondents were generally supportive of the Northern Suburbs LAMP, with the majority also agreeing that the LAMP would improve walking and bike riding in the catchment area.
- 5.12. The majority of respondents supported developing a streetscape improvement plan for Augusta Road and some sections of New Town Road being priority projects to improve mobility in the Northern Suburbs. The focus of these streetscape improvements, as outlined in the draft report, is the inclusion of protected bike lanes and pedestrian improvements.
- 5.13. Commentary regarding Creek Road protected bike lanes were mixed, with some respondents questioning the priority of this project above others. Further analysis by City officers has removed the priority for this project, and will be considered further in the development of an implementation plan for the LAMP.
- 5.14. The Northern Suburbs LAMP is included in **Attachment B**.
- 5.15. The final LAMP documents recognise the importance of pursuing city-shaping, larger scale projects that enhance accessibility and amenity of local hubs together with smaller-scale interventions that cumulatively contribute to creating walkable, wheelable and cyclable neighbourhoods.

## **6. Hobart: A Community Vision For Our Island Capital**

- 6.1. *Hobart: A Community Vision for Our Island Capital* (the Vision) guides all of the City's work, to ensure Council decisions help create the Hobart that communities want for current and future generations. The Vision includes 8 pillars representing the major parts of city life.

6.2. The LAMPs relate most strongly to Pillar 5: Movement and Connectivity. In particular:

6.2.1. *5.1 We Keep Our City Breathing*

5.1.1 We are proud of the high air quality in our city. Our transport and technology decisions keep our city breathing, protecting and regenerating Hobart's natural environment.

5.1.2 Any growth or changes to transport and technology must be unobtrusive; natural, environmental and cultural elements are all taken into account whenever we are contemplating any changes to our transportation and technology system.

5.1.3 We make the ecologically sustainable and energy efficient thing the easy thing.

*5.2 We Maintain Our Pace of Life*

5.2.1 Our slower, less frenetic pace of life continues to be a defining part of our identity. Our transport and technology systems reduce traffic congestion, helping us to spend less time commuting and more time doing what we love.

5.2.2 Connections between spaces are safe and easy to find and navigate. They are interesting, encouraging us to move between them, to be active as we move from place to place and space to space.

5.2.3 Our systems enable the connections between people, nature, history, cultures and our businesses, which make us who we are.

*5.3 We Use Transport and Technology to Support our Connections and Access*

5.3.1 Our cityscape is easy to access and move through, encouraging the movement of people ahead of cars.

5.3.3 We encourage connectivity to distinctive and diverse businesses, groups and locations by providing transport and technology systems that cater to our long-term needs.

*5.4 We Have Transport Options*

5.4.1 We all have access to a range of travel options that help us meet our daily needs, in particular, systems and infrastructure for public transport, cycling and walking. We all know how to access and use these systems.

5.4.2 Our transport networks provide optimised, easy, seamless and safe connections, through integrated systems that allow us to make efficient changes between modes.

5.4.3 We are open to investigating, trialling and/or implementing new or reinvigorated transport modes.

5.4.4 Our transport options make our daily activities, such as going to work and school, shopping and socialising, effective and efficient.

5.4.5 People of all abilities have access to effective and efficient transport options.

## 7. Capital City Strategic Plan

7.1. In accordance with *City of Hobart's Capital City Strategic Plan 2019-2029* Extract Page 12, the Hobart Transport Strategy is an 'Informing Strategy' as part of Council's planning and reporting requirements outlined at *Tasmanian Local Government Act Part 7 Administration Division 2 – Plans and report 70B Long-term strategic asset management plans*. The draft Transport Strategy themes and position statements were developed and adopted by Council on 8 October 2018.

7.2. The LAMPs respond to the following themes and position statements of the draft Strategy:

7.2.1. THEME 3: Recognising Walking as the most fundamental mode of transport

Position Statement – Pedestrian accessibility and walkability is central to future city transport, improvement and management decisions.

THEME 4: Supporting more people to ride bicycles

Position Statement – Bicycle riding has the potential to transform the City of Hobart's transport task by providing for short and medium distance trips. The City of Hobart will develop a strong network of safe paths and streets where people regardless of age or ability can comfortably cycle.

THEME 5: Increase participation in great public transport and reduce city congestion.

Position Statement – Great cities around the globe rely on public transport to move people. We will advocate strongly for real improvements and additional funding to be provided by the State and Federal governments to increase frequency, improve connectivity and support new modes for crossing the River Derwent and travelling around the greater Hobart area.

THEME 8: Managing our traffic and movement network



Position Statement - Population and economic growth and the resultant traffic congestion cannot be sustainably managed by simply providing road expansion projects. Managing and operating our network will need a 'SmartRoads' approach where preference is provided to high occupancy vehicles, especially public transport, and active transport modes on selected corridors at selected times. Travel demand management will complement such a network management approach.

- 7.3. The City Mobility unit is currently reviewing the 2018 draft Transport Strategy – the Transport Strategy Refresh. Supporting active and public transport use, promoting mode choice and behaviour change will continue to be important themes in the 2024 Transport Strategy, as such the LAMPs remain relevant to the strategic direction of the City. The final 2024 Transport Strategy is planned to be brought to Council for endorsement in May 2024.

## **8. Regional, State and National Plans and Policies**

- 8.1. The following are relevant to the broader policy context of the LAMPs:

- 8.1.1. The Hobart City Deal, including the Greater Hobart Cycling Plan. Augusta Road and New Town Road are identified as part of the Greater Hobart cycling network.
- 8.1.2. Keeping Hobart Moving, which includes a Greater Hobart Sustainable Urban Mobility Strategy, Strategic Active Transport Networks, delivery of the Greater Hobart Cycling Plan.

## **9. Financial Viability**

- 9.1. The LAMPs do not have initial implementation budget for this financial year, 2023-2024, however some ongoing implementation budget will be required to develop and deliver the projects identified in each plan.
- 9.2. The City Mobility unit has identified suitable grant programs for progression of each of the priority projects (Montpelier Retreat and Augusta Road).

## **10. Sustainability Considerations**

- 10.1. A key objective of the LAMPs is to encourage active travel behaviours within local communities, thus reducing reliance on private motor vehicles, which contribute greenhouse gas emissions. Therefore the outcomes from the LAMPs will have a positive sustainability impact.

## **11. Community Engagement**

- 11.1. The LAMPs have been developed through two stages of community and stakeholder engagement.

11.2. Further details are contained in the Background and Discussion sections of this report, and Engagement Reports are included as appendices.

## 12. Communications Strategy

12.1. The intent is that following endorsement of the plans that the community would be notified via social media.

12.2. The community association members and key stakeholders who were involved in Stage Two engagement will receive a copy of the final LAMP via email or other method where appropriate.

12.3. The final LAMP documents will be available on the City's website.

## 13. Collaboration

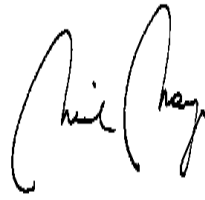
13.1. The LAMPs are the result of efforts from the City Mobility unit along with other units within Council who have provided input and feedback into the final documents.

13.2. A number of consultants have also been involved in the 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.*







Shivani Jordan  
**ACTING MANAGER CITY MOBILITY**



Neil Noye  
**DIRECTOR CITY FUTURES**

Date: 22 November 2023  
File Reference: F23/116070

Attachment A: Battery Point Final LAMP (Supporting information)   
Attachment B: North Suburbs Final LAMP (Supporting information)   
Attachment C: Battery Point LAMP - Engagement Summary Report (Supporting information)   
Attachment D: North Catchment LAMP - Engagement Summary Report (Supporting information) 

**11. Mac Point Draft Precinct Plan Submission**  
**File Ref: F23/111575**

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Report of the Program Leader City Futures and the Director City Futures of 21 November 2023 and attachment.

Delegation: Council

**REPORT TITLE: MAC POINT DRAFT PRECINCT PLAN SUBMISSION****REPORT PROVIDED BY:** Program Leader City Futures  
Director City Futures**1. Report Summary**

- 1.1. Macquarie Point Development Corporation (MPDC) has recently released the draft *Mac Point Precinct Plan* for Macquarie Point for public comment.
  - 1.1.1. The draft precinct plan responds to a Ministerial Direction to the MPDC's board requiring the development of a precinct plan that provides for the development of:
    - a multipurpose stadium;
    - key existing projects including: a truth and reconciliation park and Antarctic facilities; and
    - a residential development including affordable housing for key workers in the health sector.
- 1.2. The City of Hobart is the planning authority for areas within and around Macquarie precinct (excluding the proposed stadium proper noting that it will be subject to the Project of State Significance regulatory process) and is preparing a neighbourhood plan for the wider precinct surrounding and including Macquarie Point. In this capacity, and as the Local Government authority for the wider area the City has drafted a submission to inform Mac Point's development of the precinct plan.
- 1.3. This report also includes an update on the Inner North East Neighbourhood Plan (INENP) that Council is currently developing and a brief summary on the separate Unsolicited Proposal known as the Stadia Precinct Consortia's Stadium 2.0 (Stadium 2.0).

**2. Key Issues**

- 2.1. The submission highlights the following key issues:
  - 2.1.1. Overall Draft Precinct Plan: It is acknowledged that the Draft Precinct Plan is intended as a high-level statement of intention without proving significant detail as to the intended built form. However, the high-level diagrammatic nature of the draft precinct plan with no built form information provided (sections, elevations), makes it difficult to assess future potential impacts of the development envisaged.

- 2.1.2. Heritage: The site requires consideration of the Conservation of Cultural Heritage Values as set out in the *Sullivans Cove Planning Scheme 1997*. It is therefore appropriate that the primacy of cultural heritage values should be referenced by the Plan.
  - 2.1.3. Infrastructure Investment: The significant investment in City infrastructure required to support the precinct and surrounding areas on an everyday basis and in 'event' mode will require careful planning and capital investment that will need to be factored into the project at the precinct planning stage.
  - 2.1.4. Precinct Zones: The scale and environments of the precinct zones are hard to ascertain. Whilst this is somewhat inherent to the nature of a draft Precinct Plan, if they are not carefully considered they could present challenges.
  - 2.1.5. Transport: The addition of a new stadium precinct, which will become a major trip attractor adjacent to the Hobart's Central Business District (CBD) represents a significant opportunity to establish new norms of how we travel to and interact with the CBD Event mode and every-day mode.
  - 2.1.6. Accessibility: Council notes that Macquarie Point is located a considerable distance from existing public transport services and is not within easy walking distance for people with mobility limitations. As such, the provision of adequate accessible transport, parking and drop off facilities are critical.
  - 2.1.7. Tasmanian Aboriginal Culture: This site offers a significant cultural opportunity for the City to acknowledge Aboriginal history and to incorporate a strong visual identity throughout the site. The inclusion of an Aboriginal Culturally Informed Zone should not be tokenistic but needs to be a key element developed through deep and meaningful engagement with the Tasmanian Aboriginal Community.
- 2.2. The INENP process will now include an additional preliminary stage, which will be the release of a Macquarie Point Precinct - Issues and Options paper that is in direct response to the Mac Point Draft Precinct Plan and Stadium 2.0. We envisage this will be released early in the new year.
  - 2.3. Stadia Precinct Consortia's Stadium 2.0 is an Unsolicited Proposal that the State government has given until February 5 to provide more information on its proposal. Until such time or as otherwise directed by the State, Council is continuing to work with MPDC, TasPorts and other key landowners as remediation works, site transitioning, and precinct planning continues.

### 3. **Recommendation**

**That:**

1. **Council endorse the submission to Macquarie Point Development Corporation in response to the Mac Point Draft Precinct Plan provided in Attachment A.**
2. **Council receive and note the update in relation to the Inner North-East Neighbourhood (structure) Plan.**

### 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. Given these recent funding commitments, growth and emerging context a more sophisticated and forward-looking plan is required to position the City to leverage the development and infrastructure opportunities that may arise within this broader precinct.
- 4.5. The Australian Government has publicly expressed their expectation that the Tasmanian Government consult with the City over future developments on Macquarie Point through the development of a precinct plan. Other key stakeholders identified by the Australian Government include the Returned Services League, Royal Hobart Regatta Association, and the local Aboriginal community.
- 4.6. In response to the range of changes and growth influencing Macquarie Point and the Inner North East area of the City, the Council has identified the need to prepare a structure plan, namely the Inner North East Neighbourhood Plan (INENP)
- 4.7. The Australian Government is aware of the City's preliminary work on the INENP and is supportive of this work continuing, expressing the view that the plan is vital in ensuring good outcomes for the Hobart CBD in relation to any new developments on Macquarie Point.

- 4.8. The INENP will form the strategic planning and evidence basis for the City's engagement with the ongoing development on Macquarie Point.
- 4.8.1. The purpose of the INENP will ensure that this precinct develops as a great place that delivers its intended role. The project also provides the opportunity to collaborate with the community and key stakeholders to deliver a revitalised and activated precinct.
- 4.8.2. The key deliverables for the INENP will be, in consultation with key stakeholders and the community, to prepare a discussion paper, a structure plan and implementation program.
- 4.8.3. Council officers and lead project consultants, Ethos Urban, have been preparing the background analysis and preliminary assessment of the draft precinct plan in the lead up to the release of the draft Mac Point Precinct Plan.
- 4.9. On 21 October 2023, MPDC released the Mac Point Draft Precinct Plan for public comment and Council has prepared a detailed submission in response, see Attachment A.
- 4.10. On 18<sup>th</sup> October Stadia Precinct Consortia released its unsolicited bid for a 23,000 seat stadium at the Hobart Regatta Grounds projecting out over a reclaimed Derwent Estuary. Unlike the Mac Point Precinct Plan, the Stadium 2.0 proposal includes Council owned land in the form of the Cenotaph grounds and part of the regatta grounds and current foreshore. The State Government has requested further details of the proposal by 5<sup>th</sup> February before it forms a position on the proposal. It is understood that the Consortia will be seeking a "heads of agreement" from the Council to provide it with some certainty that the Council is prepared to consider the proposal on its land before expending further resources on the proof of concept.
- 4.11. Council officers, in response, will include high-level analysis of this proposal in the forthcoming Mac Point Options and Issues Paper that is currently being developed.

## **5. Legal, Risk and Legislative Considerations**

- 5.1. The following is provided as context in relation to the proposed precinct plan at Macquarie Point and the legislative scope for the City's involvement in the assessment process for the proposed stadium proper and surrounding development as shown in the precinct plan.
- 5.2. It is acknowledged that any future planning scheme amendment will not apply to the Stadium proper (illustrated as a stadium footprint in the Draft Precinct Plan) which has been declared a Project of State Significance and is subject to an alternative approval pathway through the Tasmanian Planning Commission (TPC). When a project is declared an SSP, then Council ceases to be the Planning Authority and the

assessment is conducted by a development assessment panel appointed by the TPC.

- 5.3. Separate to the stadium proper, to implement the final Precinct Plan, a planning scheme amendment will be required to remove the now obsolete *Macquarie Point Strategic Framework and Masterplan 2017-2030* and replace it with the final Mac Point Precinct Plan (including detailed urban design guidelines) as an Incorporated Document.

In addition, it is anticipated that some changes may be required to the zoning of the precinct, namely the section of Regatta Grounds owned by the State Government, to facilitate the desired residential development outcomes articulated in the Draft Precinct Plan.

- 5.4. It is noted that under the *Macquarie Point Development Corporation Act 2012*, the MPDC may request the Minister of Planning to prepare and approve a proposed amendment to the relevant planning scheme.

## 6. Discussion

- 6.1. Mac Point Draft Precinct Plan Council Submission has been structured to reflect the document structure of the Draft Precinct Plan. Multiple divisions of Council have contributed to the submission. Please refer to the submission for detailed discussion (Attachment A).
- 6.2. Inner North-East Neighbourhood Plan
  - 6.2.1. Given the current status of the Mac Point Precinct Plan, coupled with the Consortia's Stadium 2.0, Council's consultants for the INENP will be preparing an Issues and Options paper prior to finalising the Discussion Paper. The issues and options paper will succinctly provide the setting for this significant project. Council staff are aiming for the new year for Council's consideration of the Issues and Options paper. Once clarity over the stadium location has been provided by the state government, Council will proceed with the Discussion Paper.
- 6.3. Stadium 2.0
  - 6.3.1. A separate conglomerate called Stadia Precinct Consortia has prepared a high-level concept design for an alternative location for the stadium, called Stadia Precinct (Stadium 2.0) located primarily over the Hobart Regatta Grounds that wraps around the headland over the Macquarie Point site, with significant bulk excavation works required to support additional uses, access, parking and additional facilities under the headland as shown in Figure 02.





Figure 02: Stadium 2.0 draft plan

At this stage, further details regarding the design have not been provided to Council other than what is publicly available.

It is important to note, this project has not received formal endorsement by State or Local Government, nor have any agreements been entered into with the Consortia at time of writing this report. Until such time, Council will continue to engage with State Government on the draft Mac Point Precinct Plan and continue with the development of the Inner North East Neighbourhood Plan – noting that we expect State Government to make a formal decision regarding the Stadium 2.0 Proposal early in the New Year. Further analysis and formal Council feedback will be provided if and when the Consortia seeks any agreement with the Council and when the Government responds to the additional information expected from the Consortia in the new year.

**7. Hobart: A Community Vision For Our Island Capital**

7.1. Mac Point Precinct Plan and the INENP have 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 will contribute to achieving some of the strategic outcomes contained in the Capital City Strategic Plan 2019-2029.

The Capital City Strategic Plan 2019-29 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.

Outcome: 1.3 In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place.

### 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, healthy 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: 4.5 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 responsive and resilient to climate change and natural disasters.

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 of best practice, ethical governance and transparent decision-making.

Outcome: 8.4 People are involved in civic life, and the City's communication and engagement with Hobart communities are proactive and inclusive.

Outcome: 8.5 Quality services are delivered efficiently, effectively and safely.

## **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 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 development of the INEP has been allocated within the 23/24 budget for the City Futures Divisional.

10.2. Impact on Future Years' Financial Result

10.2.1. The INENP will outline a strategic approach to implementing its recommendations that may require funding in future years.

10.3. Asset Related Implications

10.3.1. As stated in the Mac Point Draft Precinct Plan Council submission, the significant investment in City infrastructure required to support the precinct on an everyday basis and in 'event' mode will require careful planning and capital investment and will need to be factored into the project at the precinct planning stage.

10.3.2. The INENP will outline a strategic approach to implementing its recommendations that may require funding in future years.

## **11. Sustainability Considerations**

11.1. As stated in the Mac Point Draft Precinct Plan 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 Discussion Paper.

## **12. Community Engagement**

- 12.1. 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.
- 12.2. A key deliverable of the INENP is the development of a discussion paper which will be undertaken in consultation with key stakeholders and the community. However, it is proposed to firstly release a Mac Point - Issues and Options Paper prior to the release of the discussion. The issues and options paper is intended to consider the various future development outcomes currently being considered for Macquarie Point
- 12.3. This feedback will inform the discussion paper and the development of the draft structure plan and implementation program as well as identify any further work required.
- 12.4. An engagement report for each stage will be prepared which summarises the consultation outcomes.

## **13. Communications Strategy**

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

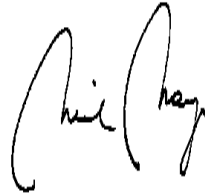
## **14. Collaboration**

- 14.1. Council will continue to engage with MPDC as the precinct plan develops.
- 14.2. An essential component of the INENP is 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  
**PROGRAM LEADER CITY FUTURES**



Neil Noye  
**DIRECTOR CITY FUTURES**

Date: 21 November 2023  
File Reference: F23/111575

Attachment A: CoH Submission Mac Point Draft Precinct Plan Nov 2023  
(Supporting information) 

**12. Hobart Phoenix Basketball Proposal - Rugby Park**  
**File Ref: F23/104151**

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Report of the Program Leader Sport and Recreation and the Director City Futures of 13 November 2023.

Delegation: Council

**REPORT TITLE: HOBART PHOENIX BASKETBALL PROPOSAL - RUGBY PARK****REPORT PROVIDED BY:** Program Leader Sport and Recreation  
Director City Futures**1. Report Summary**

- 1.1. The purpose of this report is to consider a proposal from the Hobart Phoenix Basketball Club (HPBC) to build a four (4) court stadium and associated parking on Council owned land at 10 Selfs Point Road, New Town.
- 1.2. The report further requests Council endorsement for in-principle approval to alter the boundary of the lease currently held by Tasmanian Rugby Union (TRU) and provide a lease for the land which will be developed to Hobart Phoenix Basketball Club.
- 1.3. The proposal will have significant community benefit as the HPBC currently have around 125 teams with over 700 players participating each week.

**2. Key Issues**

- 2.1. Officers have been approached by the HPBC concerning the shortage of basketball facilities in Greater Hobart, but particularly the Hobart municipal area.
- 2.2. The Club has large participation with over 700 players, with that number having grown considerably since the introduction of the Tasmanian Jackjumpers into the National Basketball League. Further growth is anticipated however the Club has reached a stage where players will need to be turned away through lack of facilities.
- 2.3. The Club is seeking to build initially a two (2) court stadium, however to meet future demand will require the space to cater for a four (4) court stadium as well as associated parking.
- 2.4. The preferred site for the development will be on Council owned land at 10 Selfs Point Road, which is currently included in the lease to the TRU. The TRU have advised they are willing to relinquish the section of the lease in question from 1 January 2024 to enable the development to proceed.

**3. Recommendation*****That:***

1. ***In principle approval be granted to reduce the lease footprint currently held by the Tasmanian Rugby Union.***



- 2. Further in principle approval be granted to the Hobart Phoenix Basketball Club to lease the section of land relinquished by the Tasmanian Rugby Union for a period of ten (10) years with a further three (3) options of ten (10) years subject to no objections being received during the statutory community engagement process required under Sections 178 and 179 of the Local Government Act 1993.**
- 3. The lease be provided to the Club at a nominal rental of \$100 per annum on the condition the Club meet all maintenance responsibilities and outgoings.**
- 4. Should any objections be received during the community engagement period, a further report will be provided to the Council.**
- 5. Should the basketball proposal not proceed that the TRU be given the options of having the footprint included back within their leased area.**
- 6. The Chief Executive Officer be authorised to finalise the terms and conditions of the lease.**
- 7. Should a lease be granted that a valuation of the land be undertaken and in accordance with the Council Policy 'Grants and Benefits Disclosure' the benefit recognised to the Hobart Phoenix Basketball Club by way of reduced rental as part of the lease be disclosed in the City's Annual Report.**

#### 4. Background

- 4.1. The Hobart Phoenix Basketball Club were established in 1990 and are one of the biggest basketball clubs in Tasmania.
- 4.2. The Club currently field over 125 teams across the year with up to 700 players hitting the court each week. Teams are supported by over 100 volunteers, with more than 2500 fans following the club.
- 4.3. The Club currently do not have a home base and are reliant on the hire of schools and private operators and are forced to play all of their matches outside of the Hobart municipal area. Agreements with these operators are short term and the recent loss of access to school courts will mean that the Club is facing the possibility of having to turn away new players.
- 4.4. Greater Hobart has a severe shortage of basketball courts. Whilst having the third highest population of any Council area in Tasmania the City of Hobart only provides one outdoor basketball court at South Hobart Oval, which doesn't meet regulations for matches.
- 4.5. The HPBC presented to Council officers the need for a new facility in Hobart with the initial potential for two (2) courts with the possibility to extend to four (4) courts into the future.
- 4.6. A number of sites on Council land were considered, including:
  - 4.6.1. Domain Athletic Centre, Queens Domain
  - 4.6.2. 1 Bell Street, New Town, adjacent to Tasmanian Hockey Centre
  - 4.6.3. Cornelian Bay Oval, New Town
  - 4.6.4. Rugby Park, New Town
  - 4.6.5. Old Worm Farm, Tolmans Hill
- 4.7. All of the pros and cons of each option were explored, however the location determined to be the most suitable was Rugby Park.
- 4.8. The proposal would fit into disused land at Rugby Park without encroaching on the existing rugby operations, with an approximate footprint for the land required, including car parking shown below:



- 4.9. Whilst the development is at a very high level concept at this stage HPBC have confirmed that the size that this space offers will be sufficient for their needs.
- 4.10. HPBC are currently in negotiations for funding of the project and have had meetings with the State Government. It is expected the initial two (2) court proposal will cost around \$12million. The State Government have advised they will consider providing some funding toward the development should land be secured.
- 4.11. The land on which the development is proposed is under lease to the TRU until 2030.
- 4.12. An initial meeting was held with the TRU who then had the reduction of the leased area considered at their full board meeting. TRU are supportive of the proposal in using what is land that is surplus to their needs.
- 4.13. It is understood that TasWater are seeking to sublease part of the area from TRU for use as a lay down area for the proposed extension to the Selfs Point Waste Water Treatment Plant. When the footprint and tenure are known a request will be forthcoming from the TRU for permission to sublease. HPBC have agreed that any income from the sublease agreement would still be payable to the TRU.

## 5. Legal, Risk and Legislative Considerations

- 5.1. TRU is able to alter the terms of their lease agreement, however agreement from Council is required to enable them to do so. It is

considered that the request to reduce the lease area be approved due to the genuine recreational opportunities that it will create.

- 5.2. HPBC would then lease the area relinquished by the TRU, however as the lease exceeds five (5) years, community consultation under section 178 of the Local Government Act is required.
- 5.3. Should a lease amendment be required and a new lease be approved, it will be undertaken by the City's internal legal officers.

## **6. Discussion**

- 6.1. The report is proposing that approval to reduce the footprint of the lease currently held by the TRU be endorsed.
- 6.2. It is further proposed that subject to the required community consultation that a lease be provided to the HPBC as well as landlord approval (subject to the finalisation of plans) for a new basketball stadium of the land.
- 6.3. It is considered a long term lease, suggested as an initial 10 year lease with a further three (3) 10 year options be approved given the likely investment required into the site from the proponent. A lease of a similar term was approved for the nearby New Town Bay Rowing Centre for similar investment.
- 6.4. The proposed lease to the NPBC has been assessed against Council policy 'Lease to Non-profit Organisations (NFPO)' and meets the criteria for reduce rental and provision of the lease.

## **7. Capital City Strategic Plan**

- 7.1. The Capital City Strategic Plan 2019-29 supports the proposal with Strategic outcome 2.3:

Hobart communities are active, healthy and engaged in lifelong learning.

## **8. Financial Viability**

- 8.1. Funding Source and Impact on Current Year Operating Result
  - 8.1.1. Should the lease be approved, there will be an increase in income by \$100 for the current financial year.
- 8.2. Impact on Future Years' Financial Result
  - 8.2.1. Income of \$100 for future years will be received should the new lease be approved.
- 8.3. Asset Related Implications

- 8.3.1. The new lease will be considered a land lease, so any assets constructed on the land will be owned by the HPBC, and as such the City will have no maintenance or replacement obligations.

## 9. Community Engagement

- 9.1. Pursuant to Sections 179 and Sections 178 of the *Local Government Act 1993*, community consultation be undertaken in accordance with the Act, as listed below:
- 9.1.1. Notification in the Mercury on at least two separate occasions.
- 9.1.2. Display of the notification onsite.
- 9.2. The notifications to advise the public that any objections to the proposed lease may be made to the City within 21 days of the date of the first publication.
- 9.3. Targeted consultation will also occur with identified parties with an interest in the area, including the New Town Bay Rowing Centre, Tasmanian Bridge Association and TasWater.

*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.*

Shannon Avery  
**PROGRAM LEADER SPORT AND  
RECREATION**

Neil Noye  
**DIRECTOR CITY FUTURES**

Date: 13 November 2023  
File Reference: F23/104151

**13. Plastic in Hobart Rivulet**  
**File Ref: F23/118069; 16/117**

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Report of the Manager Waterways, the Manager City Resilience and the Acting Director City Life of 20 November 2023.

Delegation: Council

**REPORT TITLE: PLASTIC IN HOBART RIVULET****REPORT PROVIDED BY:** Manager Waterways  
Manager City Resilience  
Acting Director City Life**1. Report Summary**

- 1.1. The purpose of this report is to respond to the resolution passed by the Council on 30 October 2023, following the contamination of Hobart Rivulet with plastic waste as a result of heavy rain and wind on 21 October 2023. The full text of the resolution is set out in paragraph 4.4 below.
- 1.2. The Hobart Rivulet is a cherished community asset, providing ecological, environmental and aesthetic value while also functioning as part of the City of Hobart's stormwater network. There is considerable community interest in the management of this asset, in particular the management of the environmental impacts to the Rivulet from pollution including litter.

**2. Key Issues**

- 2.1. The preparation for the weather event on 21 October 2023 was thorough and followed all usual processes to minimise the impact of the weather event on the community and Council infrastructure. This included inspection and cleaning the infrastructure which is designed to minimise waste escaping the McRobies Gully Waste Management Centre and entering the Hobart Rivulet.
- 2.2. The infrastructure at McRobies Gully Waste Management Centre operated as expected and provided a barrier to waste escaping the site in a small to medium event (equal to or smaller than the 5% AEP). Council officers are currently exploring ways to upgrade this infrastructure so that it will collect smaller plastic items. This is hoped to be done during the current financial year.
- 2.3. The further infrastructure downstream in the Hobart Rivulet (the South Hobart litter sock) is already under consideration for replacement. While replacing this infrastructure is likely to be more effective at removing litter than the South Hobart litter sock, it is unlikely that new infrastructure will completely prevent litter entering the Hobart Rivulet in the most extreme weather events. The cost of new infrastructure is likely to be approximately \$1M and is not yet included in the capital works program.
- 2.4. Further consideration can be given to additional resourcing to allow for post-event clean-ups by the Council, and whether community-led clean-ups can be supported, in the context of potential safety issues and impact on the biodiversity of our waterways.

### 3. Recommendation

***That Council note that proposals for additional resources will be considered as part of the 2024-25 budget development process.***

### 4. Background

- 4.1. The Hobart Rivulet is a cherished community asset, providing ecological, environmental and aesthetic value while also functioning as part of the City of Hobart's stormwater network. The Rivulet conveys flows from kunanyi / Mount Wellington, through South Hobart including McRobies Gully Waste Management Centre (**McRobies WMC**) and Hobart CBD to the River Derwent.
- 4.2. On 21 October 2023, Hobart experienced a heavy wind and rain event overnight. As a result, an unusually high amount of plastic items were found in the Hobart Rivulet. This caused significant concern for members of the community, Elected Members and Council officers.
- 4.3. In particular, community members expressed their concern about the potential for impact on the platypus which resides in the area. It is understood that there was no harm to any platypus on this occasion.
- 4.4. The resolution passed by the Council on 30 October 2023 states as follows:

*Following the widespread pollution of the Hobart Rivulet below the McRobies Gully tip during a severe overnight weather event on Saturday October 21, that the Council seek a report detailing:*

- *the steps taken by Council operations in the lead up to the weather event on 21 October to reduce the impact of high winds and heavy rain on the McRobies Gully tip and the catchments and waterways around it;*
- *the actual amount of plastic and other waste that made its way into the Hobart Rivulet following the October 21 weather event, and the possible sources of that plastic and other waste;*
- *what improvements can be made to Council infrastructure and operational procedures to reduce the impact of the landfill on the health of the Hobart Rivulet and flora and fauna living in it;*
- *the arrangements for the organisation of clean-ups following weather events that result in a large volume of plastic and other waste ending up in the Hobart Rivulet;*



- *the promotion and expanded use of bin latches to enable residents to secure their bin lids in high winds; and*
- *an investigation into cancelling Recycling and General Waste collection on days when extreme weather events are predicted.*

## 5. Legal, Risk and Legislative Considerations

*Urban Drainage Act 2013 Section 5, Council to provide adequate stormwater systems.*

- 5.1. The provision of a functioning stormwater system is statutory requirement under the *Urban Drainage Act 2013*. In the context of this report the implications of this is that the Council is required to prioritise maintaining the free flow of water within the system to minimise flood risk. Failure to do so could create significant risks including safety, reputational, financial and statutory.

*Urban Drainage Act 2013 Section 18, A person must not discharge, or cause to permit to be discharged, anything other than stormwater into a public stormwater system.*

- 5.2. Discharge of waste into the public stormwater system is an offence and needs to be addressed within the overall public stormwater system failure to do so exposes the Council to statutory and reputational risk. Opportunities for infrastructure upgrades to assist in reduction of waste entering the public stormwater system are currently being investigated. Additionally, a public awareness education program about our stormwater system and rivulets for primary school children is also being explored.

*Environmental Management and Pollution Control (Waste Management) Regulations 2020, section 7, Production storage and treatment of controlled waste.*

- 5.3. The operation of the McRobies WMC is with the approval of the Environment Protection Authority Tasmania (**EPA**), pursuant to an Environment Protection Notice issued under the *Environmental Management and Pollution Control Act 1994*. It is highly regulated in a formal sense. In addition, Council officers, particularly the Manager City Resilience, has a strong relationship with the EPA and meets proactively to ensure that all issues are managed appropriately.
- 5.4. The Council is responsible for the effective management of waste at McRobies WMC and has operating processes and procedures in place that are regularly checked and updated to ensure they reflect current expectations and align with legislative requirements.

## 6. Discussion

- 6.1. Plastics can escape from McRobies WMC by either:
  - 6.1.1. blowing in the wind from the face of the landfill; or
  - 6.1.2. being carried from the landfill by rainwater runoff, through the stormwater system.
- 6.2. While the Council continues to operate McRobies WMC, there is a risk that plastic waste will continue to escape from the site. Contractors currently check the landfill regularly and particular attention is paid in the lead-up to a significant weather event. But even if plastic items are removed from the surface of the landfill to minimise the escape, it is inevitable that an extreme weather event will disturb further plastic items.
- 6.3. It is the intention of the Council to close McRobies WMC at some point prior to 2030. The body of work which will specify exactly how that will happen and when, is beyond the scope of this report. The closure of the landfill will involve rehabilitation, including capping of the site so that litter is not able to escape in the same way it is able to currently.
- 6.4. Prior to the closure of McRobies WMC, Council could consider further resources to be dedicated to cleaning up the landfill on a more regular basis. Even if this occurred, it would not ensure that there is no further plastic mobilised from McRobies WMC into the surrounding environment, including Hobart Rivulet, since the weather may uncover more plastic as occurred on 21 October 2023 and some is blown by the wind. However, it is likely to significantly reduce the likelihood of plastic mobilisation.
- 6.5. In order to minimise the amount of plastic which moves from McRobies WMC to the Hobart Rivulet via the stormwater system, there are two physical barriers:
  - 6.5.1. a “gross pollutant trap” (**McRobies GPT**) which is part of the McRobies WMC site, and is essentially a series of grates designed to catch plastic items and other litter which is of a certain size; and
  - 6.5.2. a “litter sock” (**South Hobart litter sock**) which is outside the McRobies WMC site and provides a further barrier for waste carried by stormwater which travels through McRobies WMC but also provides a barrier for stormwater travelling from other parts of the stormwater system including Loudon Street and Nevin Street.
- 6.6. The specific issues raised in the Council motion are considered below.

***Steps taken by Council operations in the lead up to the weather event on 21 October to reduce the impact of high winds and heavy rain on the McRobies Gully tip and the catchments and waterways around it***

- 6.7. Extensive action was undertaken by Council crews prior to the weather event, as follows:
- 6.7.1. On 16 October, officers noted that some weather websites predicted heavy rain for the upcoming weekend. It is highlighted that not all agencies predicted this event. The Bureau of Meteorology's forecast, for example, was for showers. Weatherzone's forecast was for heavy rain.
- 6.7.2. The Manager City Infrastructure erred on the side of caution and enacted the Flood Emergency Action Plan which included standing up the Wet Weather Operations Team at the start of the week.
- 6.7.3. This involved a multi-Divisional response including the following across the municipality throughout the week prior to the weather event:
- inspecting and cleaning gross pollutant traps in waterways, including the McRobies GPT;
  - removing debris from McRobies WMC waterways;
  - inspecting and cleaning the South Hobart litter sock;
  - preparing sandbags and road closure signage;
  - establishing communications centres;
  - raising the access bridge above the Hobart Rivulet at the Royal Hobart Hospital;
  - inspecting and cleaning stormwater pits in sags and where flooding usually occurs;
  - sweeping roads and kerbs where flooding can occur;
  - inspecting and clearing flood mitigation devices in waterways;
  - inspecting and clearing boulder traps and debris traps;
  - inspecting and cleaning at-risk culverts and headwalls;
  - cleaning at-risk Council building gutters; and

- placing operational after-hours officers on standby.
- 6.7.4. On 13 October, the entire surface of the tip face at McRobies WMC was cleaned by contractors. This work involved collection of windblown plastic and other loose debris across the site. The surface of McRobies WMC tip face is routinely cleaned approximately every three to four weeks, or after a strong wind event. The most recent clean was 8 days before the flood event.
- 6.7.5. During the week commencing 16 October, the regulatory officer for the McRobies WMC, Shane Hogue (EPA) visited McRobies WMC for a routine visit. When he met with the City's Manager City Resilience and Manager Waterways after the weather event, he stated that he observed that the surface of the McRobies WMC tip face was clean on the day of his visit prior to the weather event.
- 6.8. Actions Undertaken During the Event included:
- 6.8.1. The City's Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator were actively monitoring the weather and impact on the municipality.
- 6.8.2. The storm hit Hobart from around 9pm on 21 October. At around 11pm the rainfall intensified, and the after-hours duty team were called in to a number of locations, including:
- Salamanca Place flooding;
  - Castray Esplanade flooding;
  - Risdon Road flooding;
  - Strickland Avenue flooding;
  - Wentworth Street flooding and debris on road; and
  - Liverpool Crescent flooding and debris on road.
- 6.8.3. In addition, the after-hours response team were called in by Tasmania Fire Service to assist with road closure at Evans Street following a fire at Zero Davey.
- 6.8.4. The after-hours response team worked through Saturday night and most of Sunday to address these issues.

## 6.9. Actions Undertaken After the Event included:

## 6.9.1. Following the weather event, officers carried out the following works:

- removing debris from roads and gutters;
- removing debris from flood mitigation devices in waterways;
- removing debris from gross pollutant traps in waterways;
- cleaning the gross pollutant trap (sock) at Degraeves Street (on 24 October 2023, once stormwater flows were low enough to allow for safe removal, cleaning and replacement);
- cleaning the gross pollutant trap at McRobies WMC;
- removing debris from McRobies WMC waterways;
- inspected the entire Hobart rivulet between McRobies WMC and Gore St in the city. This inspection, one day after the event, showed that plastic had entered the waterway from a combination of sources, including the gross pollutant trap (sock) at Degraeves St, and all other stormwater outflows below this location;
- sourced a contractor to clean litter in the waterway from the McRobies WMC outfall down towards the city; and
- provided a bulk litter pick-up service for community groups and individuals who removed litter from the waterway.

## 6.9.2. On 23 October, the City's Manager Waterways and Program Leader Stormwater Assets inspected key gross pollutant traps and areas subject to flooding for damage and maintenance requirements across the municipality.

## 6.9.3. The City's Manager City Resilience, Manager Waterways and Program Leader Waste and Circular Economy undertook a McRobies WMC site flood debrief visit during the week after the event.

- At the McRobies WMC, the rehabilitated area adjacent to the Hobart Rivulet showed no signs of escaped waste. All rehabilitated areas near the rivulet were intact with no edges washed away and no exposure of Geotech membrane that isolates waste below.
- Some plastic was observed protruding from the green waste mounds adjacent to and about 30m from the Hobart Rivulet.

This was not consistently a high volume, rather, surface plastic that may have become exposed after the heavy rain event and was flagged for the next surface clean up.

- 6.9.4. The City's Manager City Resilience, Manager Waterways and McRobies WMC regulatory officer (EPA) undertook a McRobies WMC site flood debrief visit during the week after the event. This included an inspection of the stormwater infrastructure and discussion about its performance. Further information was requested by the EPA and a letter detailing the operational response to the 21 October event has been provided to the EPA. Recommendations resulting from future discussions with the EPA will be investigated and action as required.
- 6.10. After the weather event, Council received community reports of exposed waste within the McRobies WMC. These reports were investigated, and these investigations found that the reports most likely referred to two large areas to the west (up the valley) that are presently undergoing significant rehabilitation works. This requires removal of surface fill to instal geotechnical membrane and associated aggregate fill of specific technical specification under the rehabilitation plan with the regulator (EPA). This work is very carefully planned and engineered according to the site rehabilitation plan and sometimes referred to as 'capping'. It does require some excavation work above older landfill but at no point is the landfill exposed, and further, the capping occurs simultaneous to the works. I.e., no old waste is exposed to the environment for any duration in the process.

***The actual amount of plastic and other waste that made its way into the Hobart Rivulet following the October 21 weather event, and the possible sources of that plastic and other waste***

- 6.11. The amount of waste that made its way into the Hobart Rivulet over the course of the 21 October 2023 weather event is not quantifiable. Council officers, community volunteer groups and contractors did not take any measurements of the waste removed from the Rivulet.
- 6.12. It is accepted that the bulk of the litter in the Hobart Rivulet was likely from the McRobies WMC. However, the Hobart Rivulet accepts flows from multiple stormwater networks throughout South Hobart and down to the CBD, with waste that has been discarded or blown from surrounding suburbia as well as waste from the McRobies WMC stormwater infrastructure.

***What improvements can be made to Council infrastructure and operational procedures to reduce the impact of the landfill on the health of the Hobart Rivulet and flora and fauna living in it***

- 6.13. It is important to note that while the McRobies GPT and South Hobart litter sock work effectively in most weather conditions, in an extreme weather event it is inevitable that they will be overwhelmed and

bypassed, releasing excess stormwater flows along with accompanying litter. The capability of these systems to allow water to bypass in high flow events (greater than the 5% AEP or a one in twenty-year event) is a necessary part of the design to mitigate against flooding. The intention is not to be able to remove absolutely all litter in every weather event. To design infrastructure to cope with all weather events would be prohibitively costly.

- 6.14. The weather event on 21 October 2023 had bursts of very high intensity of rainfall, with some rainfall bursts close to a 2% AEP (a one in fifty-year event).
- 6.15. The McRobies GPT operated as expected and provided a barrier to waste escaping the site. Council officers are currently exploring ways to upgrade this infrastructure so that it will collect smaller plastic items. This is hoped to be done as part of the current financial year. Again, even if this infrastructure is upgraded, it would be expected that at a point (likely the 5% AEP), it would be bypassed and would not operate to prevent plastic entering the Hobart Rivulet.
- 6.16. In relation to the South Hobart litter sock, there is already a body of work being undertaken by Council officers to consider a further gross pollutant trap which would replace this infrastructure. It is possible that the design and implementation of this infrastructure could cost as much as \$1M. There is further work to be done to understand the options and associated costings. It would need to be supported as part of the 2024/25 budgeting process, after considering the prioritisation of all capital works proposals.
- 6.17. Council infrastructure and operational procedures relating to weather events are routinely revised and updated before and after weather events to ensure they cover current and emerging risks. Additions to these procedures reflect risk, community value and Council's statutory responsibilities.

***The arrangements for the organisation of clean-ups following weather events that result in a large volume of plastic and other waste ending up in the Hobart Rivulet***

- 6.18. Post weather event clean-up is conducted by Council officers (including McRobies EMC staff and City Infrastructure stormwater staff) as needed and on a risk assessment basis, with priority given to areas at risk of continued flooding that would endanger life or property, then subsequent risks are addressed as resources become available.
- 6.19. There is some infrastructure which cannot be cleaned until waterways have subsided, due to safety concerns. The South Hobart litter sock falls within this category. It is not feasible for Council officers to enter waterways to clean out the litter sock while it is full and heavy, and with strong flows in the waterway due to increased rainfall.

- 6.20. The Council is not currently resourced to have officers picking up litter from the Hobart Rivulet and other waterways immediately after a weather event. If this task was to be done, it would need to be considered as part of the 2024/25 budget process.
- 6.21. Currently there are no arrangements for the Council to organise or support community clean-ups. The focus is on the City's stormwater works crew and McRobies WMC carrying out clean-up activities as detailed above following weather events.
- 6.22. It is noted that there were a number of community-led clean-ups following the 21 October 2023 weather event, none of which were endorsed by the Council. In order for the Council to support these clean-ups, consideration would have to be given to:
- 6.22.1. safety protocols – for example, there are areas around the Hobart Rivulet which are not normally accessed by the public that are covered in the poisonous weed known as “poison hemlock”;
  - 6.22.2. whether Council's insurance would extend to cover accidents in these circumstances, causing injury to a member of the community or some other damage; and
  - 6.22.3. ways to ensure that there were not inadvertent impacts on the biodiversity of the rivulets.
- 6.23. A specific suggestion has been made through the Elected Member Request system that the Council endorses removal of rubbish by the public from the Hobart Rivulet following severe weather events, using kayaks and people on foot walking the banks, all wearing appropriate safety gear (life jackets and multi-person teams for everyone, plus safety boots and waders for the walkers, with the option of tethered safety lines where flows or depths increased). This would require proper consideration of the issues mentioned above.

***The promotion and expanded use of bin latches to enable residents to secure their bin lids in high winds***

- 6.24. Bin latches are used to secure a bin lid to the base of the bin, in an attempt to keep waste or recycling bins shut in windy conditions.
- 6.25. While the bin latches seem like they are a solution to preventing community waste from entering the environment, they are not always effective.
- 6.25.1. Sometimes they do not keep lids on bins if they fall over, possibly due to the impact or possibly because they have not been used properly.
  - 6.25.2. Also, at times the bin latches fail to let the bin lid open when being collected into the truck if the bin contents are too light (eg



a bin full of paper & cardboard) because it won't have enough weight to force the lid open.

- 6.26. For a number of years, the City has made bin latches available to members of the community free of charge, issuing a very small number each year. Since information was made available earlier this year on our website, along with a form to fill out to request a latch the number issued increased, to around 10 requests per week, which is manageable and sustainable.
- 6.27. In mid-2023, the City received approximately 500 requests for bin latches in one week, due to the link to the form to request a latch was being widely shared amongst various social media networks within and outside of Hobart. Many requests were being submitted from residents outside of Hobart. Officers have removed the form, and need to evaluate the process including whether it can continue to provide latches at no cost.
- 6.28. Latches cost between \$5.50 to \$7.50 depending on the volume being purchased.
- 6.29. It is recommended that further consideration of the effectiveness and cost of bin latches. It is noted that the City does not currently have any way of mandating the use of bin latches and even if it did, it would not be feasible to carry out enforcement processes to ensure that they were being consistently used.

***An investigation into cancelling Recycling and General Waste collection on days when extreme weather events are predicted***

- 6.30. Collection of bins is a 5 day per week process, which is fully programmed to ensure that all residences throughout Hobart can have their waste collected weekly and recycling and FOGO collected fortnightly. The program is published on our website.
- 6.31. For the waste and recycling collection, this relies on 13 officers using 10 vehicles daily, 5 days per week.
- 6.32. The option to change the programming depending on the weather is simply not feasible. If waste was not collected one day due to windy conditions then officers would be paid but not work on that day. The bins that were not collected would not be able to be collected the next day or later in the week because the program is already full. There is no commercial operator who would be able to step in and provided a catch-up service to meet the requirements of a whole day missed.
- 6.33. Even if this was possible, it is unlikely to be effective in that members of the community are familiar with the program, and even with the best communications strategy, it is unlikely to ensure that the community was able to adapt to changing the program. This would likely result in bins being left out for extended periods and increase the vulnerability

of these bins to high wind events in the event that a warning was not received or was ignored.

## **7. Hobart: A Community Vision For Our Island Capital**

7.1. The following identity statements from the Community Vision are relevant to this report:

7.1.1. 1.1. We are an island capital on the fringe of the Southern Hemisphere, a city defined by wild weather and its place as a gateway to Antarctica.

7.1.2. 1.2. We are deeply connected to nature and wilderness, in, around, above and below our city.

## **8. Capital City Strategic Plan**

8.1. The following strategies from the Capital City Strategic Plan 2023 are relevant to this report:

8.1.1. 1.1.1 Protect and enhance, core elements of Hobart identity – kunanyi / Mount Wellington, timtumili minanya / River Derwent, natural areas, green spaces and Hobart's heritage, culture and human scale – so they continue to be valued as central features of Hobart's landscape and social fabric.

8.1.2. 2.4.1 Protect and improve public and environmental health, wellbeing and safety.

8.1.3. 6.1.3 Protect and enhance Hobart habitats, key natural assets and ecosystems, including wildlife corridors and waterways.

8.1.4. 6.1.5 Regulate, measure and manage potentially polluting activities, prioritising air and water quality.

8.1.5. 6.2.2 Increase public awareness of and participation in environmental conservation and the care of bushland areas.

8.1.6. 6.2.5 Learn from and contribute to global best practices on management of the natural environment.

8.1.7. 6.3.1 Implement significant waste reduction actions and programs to ensure the City's objective of zero waste to landfill by 2030 is achieved.

8.1.8. 6.3.2 Manage and maintain the City's waterways and stormwater assets using best practice asset management principles.

8.1.9. 6.3.3 Improve water quality in Hobart's waterways and identify water catchment activities that are contributing to stormwater pollution.

- 8.1.10. 8.2.2 Align service delivery expectations with available funding so that the sustainable management of all required supporting assets is achieved.

## 9. Financial Viability

### 9.1. Funding Source and Impact on Current Year Operating Result

- 9.1.1. No specific proposals are made in this report for changes to operations which would have resourcing implications.

### 9.2. Impact on Future Years' Financial Result

- 9.2.1. Possible changes to operational issues and capital works are proposed to be considered as part of the 2024/25 budget.

### 9.3. Asset Related Implications

- 9.3.1. Possible changes to operational issues and capital works are proposed to be considered as part of the 2024/25 budget.

*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.*



Erin Jacobi-Mccarthy  
**MANAGER WATERWAYS**



Christopher Kuchinke  
**MANAGER CITY RESILIENCE**



Karen Abey  
**ACTING DIRECTOR CITY LIFE**

Date: 20 November 2023  
File Reference: F23/118069; 16/117

**14. City of Hobart Submission on the proposed Development Assessment Panel (DAP) Framework  
File Ref: F23/118406**

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Report of the Acting Director City Life of 14 November 2023 and attachments.

Delegation: Council

**REPORT TITLE: CITY OF HOBART SUBMISSION ON THE PROPOSED DEVELOPMENT ASSESSMENT PANEL (DAP) FRAMEWORK**

**REPORT PROVIDED BY:** Acting Director City Life

**1. Report Summary**

- 1.1. 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. 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. The purpose of this report is to seek Council's endorsement of the City of Hobart's submission to the Development Assessment Panel Framework Position Paper.

**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. The submission also pushes back on the assumption that the introduction of a DAP will quash controversy.
- 2.3. It also questions the shift in decision making proposed by the framework as counter to the fundamental principles of why and how we should do planning and what problem or topic based issues can and should be addressed through planning.
- 2.4. The submission includes responses to each of the points raised under the six 'consultation issues' included in the discussion paper. Key points include:
  - 2.4.1. CoH states that statutory planning functions should remain with local councils.
  - 2.4.2. CoH is reluctant to see an expansion of the Minister's existing powers to direct a planning scheme amendment, and has significant concerns regarding the cost implications and workload burden attendant upon such a shift.
  - 2.4.3. Should a DAP be introduced, CoH supports local knowledge being incorporated in DAP decision making.
  - 2.4.4. The assessment timelines proposed are unrealistic.

### 3. **Recommendation**

***That Council endorse the draft submission to the Development Assessment Panel Framework Discussion Paper marked as Attachment B 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 (Attachment A). Submissions close on 30 November 2023.

### 5. **Hobart: A Community Vision For Our Island Capital**

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

### 6. **Capital City Strategic Plan**

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

*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: 14 November 2023

File Reference: F23/118406

Attachment A: Position Paper Development Assessment Panel Framework  
(Supporting information) 

Attachment B: 2023 CoH Response to DAP Framework Position Paper  
(Supporting information) 

**15. Rating and Valuation Strategy Review - Rating System Options for  
Community Consultation  
File Ref: F23/119882**

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Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 20 November 2023 and attachments.

Delegation: Council



**REPORT TITLE:                    RATING AND VALUATION STRATEGY REVIEW -  
RATING SYSTEM OPTIONS FOR COMMUNITY  
CONSULTATION**

**REPORT PROVIDED BY:** Manager Rates, Procurement and Risk  
Director City Enablers

**1.     Report Summary**

- 1.1.    The purpose of this report is to seek approval of a Rating System Options Paper and the commencement of community consultation on the City's Rating Strategy Review, until 2 February 2024.
- 1.2.    The community benefit is the opportunity to provide feedback and input to the City's review of its rating strategy, which is consistent with the Capital City Strategic Plan 2023, strategy 8.2.5 – maintain a rating system that supports fairness, capacity to pay and effectiveness.
- 1.3.    Analysis of the community consultation results arising from the consultation will assist in the development of a draft Rating and Valuation Strategy for Council's consideration and endorsement in April 2024.

**2.     Key Issues**

- 2.1.    As approved by Council at its 23 January 2023 meeting, the City is undertaking a review of its Rating and Valuation Strategy (the Review). Community consultation is an important and integral feature of the Review.
- 2.2.    The review is being conducted through a series of Elected Member workshops. Following an extensive review process through the workshops several rating options have been developed to obtain feedback from the Hobart community on which one provides the most fair and equitable distribution of Council rates across the municipal area.
- 2.3.    Feedback from the community on the City's rating system options will inform the development of a Rating and Valuation Strategy for the City.
- 2.4.    A rating strategy is the method by which councils considers decisions about how rates will be raised from properties in the municipal area and how different properties e.g., residential, commercial etc., should share the amount of rates to be paid. A rating strategy doesn't consider how much the City needs to raise from rates, this is calculated in the City's budget.
- 2.5.    None of the options proposed have any impact on the total amount of rates and charges raised by Council. None of the options are favoured in particular, and community feedback will be valuable in informing the

most fair and equitable distribution of Council rates across the municipal area.

- 2.6. It is proposed that Council approve the Rating System Options Paper for community consultation and the proposed approach to community engagement for the Review.

### **3. Recommendations**

***That:***

- 1. The report 'Rating and Valuation Strategy Review Rating System Options for Community Consultation' be received and noted.***
- 2. Council approves the draft Rating System Options Paper for community consultation at Attachment A.***
- 3. Council endorse the proposed approach to community consultation for the Rating Review, as outlined in the Community Engagement Plan at Attachment B.***

### **4. Background**

- 4.1. The City of Hobart is undertaking a review of its Rating and Valuation Strategy (the Review). The City requires a sustainable Rating and Valuation Strategy (Strategy) to ensure that programs, services and infrastructure needs of the community are met now but also into the future to avoid burdening future generations of ratepayers with large rate increases. It's also important that the City has sufficient revenue to ensure it can meet the Community Vision and the strategic objectives outlined in the Capital City Strategic Plan 2023. Rates comprise 65% of the City's total revenue.
- 4.2. A Strategy is the method by which councils considers decisions about how rates will be raised from properties in the municipal area and how different properties e.g., residential, commercial etc., should share the amount of rates to be paid. A rating strategy doesn't consider how much the City needs to raise from rates, this is calculated in the City's budget.
- 4.3. The Strategy will determine how the City of Hobart will raise rate revenue from properties within the municipal area using the rating options available to it under the *Local Government Act 1993* (LG Act).
- 4.4. At its meeting on 23 January 2023, Council considered a proposal for the review of the City's rating and valuation strategy (the Review) and develop a new strategy for the City for the 2024-25 rating year and beyond. Council resolved that:

- 4.4.1. *The proposed approach and methodology for the City of Hobart Rating and Valuation Strategy Review be endorsed.*
- 4.4.2. *The timeline for the review process marked as Attachment A to the report be endorsed.*
- 4.4.3. *The Rating and Valuation Strategy Discussion paper prepared to support the review process marked as Attachment B to the report be endorsed.*
- 4.4.4. *The proposed Community Engagement Plan to support the review marked as Attachment C to the report be endorsed.*
- 4.4.5. *An appropriate communications and media strategy be developed to support the Rating and Valuation Strategy review.*
- 4.4.6. *It be noted that a review of Council's other revenue sources, including fees and charges, will be considered separately.*
- 4.5. Council noted that as part of the review, an interim strategy would be prepared for the 2023-24 rating year that would address Council's decisions at its meeting on 1 August 2022 in relation to short stay visitor accommodation and vacant residential land. That interim rating strategy for 2023-24, which included a differential rating model and included a higher differential for short stay visitor accommodation and vacant residential land, was approved by Council at its 19 June 2023 meeting.
- 4.6. As part of the Review, at its meeting on 30 October 2023, Council approved a change to the City's property valuation base for the purpose of rating from Assessed Annual Value to Capital Value to take effect from 1 July 2024 for the 2024-25 rating year.
- 4.7. The Review is being undertaken through a series of Elected Member workshops and has reached the point where rating system options have been prepared for community consultation to obtain feedback about which ones provides the most fair and equitable distribution of Council rates across the municipal area.
- 4.8. These options have been developed following consideration at the workshops of the following:
  - 4.8.1. That Council rates are taxation for the purposes of local government, a form of property taxation.
  - 4.8.2. Rating principles, being the principles of taxation.
  - 4.8.3. The rating tools and legislative framework that Council is required to operate within.
  - 4.8.4. A uniform vs a differential rating system.

- 4.8.5. The number and level of differential rates.
  - 4.8.6. Benchmarking the Hobart rating system against other capital cities and other similar sized councils.
  - 4.8.7. Incentives / disincentives – exploring the use of differential rates to encourage beneficial outcomes for the community.
  - 4.8.8. An analysis of demographics and population forecasting for Hobart including population growth.
  - 4.8.9. Capacity to pay.
  - 4.8.10. The valuation approach undertaken by the Valuer-General in regard to each land use and how properties are valued.
  - 4.8.11. The optimal valuation base the City should use for the purpose of rating.
  - 4.8.12. Extensive rates modelling of the rating impact on each group of ratepayers.
  - 4.8.13. Different rating system options.
- 4.9. The rating system options proposed for community consultation are:
- 4.9.1. Option 1: No change – keep the current level and number of differentials including the 2x for short stay visitor accommodation and 2x for vacant residential land the same as they are currently.
  - 4.9.2. Option 2: Reduce the number of differentials to 7 – by combining commercial and industrial and residential and primary production – to simplify the rating structure.
  - 4.9.3. Option 3: Introduce a fixed charge of \$200 (municipal charge) that all properties pay.
  - 4.9.4. Option 4: Introduce a minimum rate of \$1,000 to ensure that all properties pay a minimum contribution to general rates.
- 4.10. At the last Elected Member workshop on the Review, a further option of a differential rate for commercial tourist accommodation providers was requested to be considered as an option for community consultation.
- 4.10.1. Therefore, a fifth option has been included, Option 5: Introduce a differential general rate for tourism accommodation providers with a commercial land use. This would be relevant to properties with a land use of C40 Hotel/Motel, C50 Motel, C51 Private Hotel/Boarding House, C52 Holiday Apartment / Residential Club, C54 Tourist Complex and C55 Tourist Hostel.

- 4.10.2. For the purpose of providing an example of option 5 in the Options Paper, 1.5x more general rates has been modelled, noting that all other properties would pay, in total, 1.5x less in general rates and the outcomes shown in the Options Paper.
- 4.10.3. It is noted in the Options Paper that these property types contribute positively to the economic development of the City.
- 4.11. It should be noted that through the community consultation process, the community will have the opportunity to put forward other options that the community may wish to be considered as part of the Review.
- 4.12. More information and detail on the rating system options are outlined in the draft Rating System Options Paper – **refer Attachment A.**
- 4.13. As outlined in s4.4.4 above, the Council has approved a Community Engagement Plan for the Review.
- 4.14. The Community Engagement Plan has been further refined to outline the approach for community engagement, which includes:
  - 4.14.1. Your Say Hobart – submissions to the Options Paper, survey responses and ability to ask questions.
  - 4.14.2. A face-to-face workshop for interested ratepayers.
  - 4.14.3. Drop-in sessions held weekly for interested stakeholders to ask questions about the Review.
  - 4.14.4. Direct stakeholder engagement.
- 4.15. The Community Engagement Plan is attached – refer **Attachment B.**
- 4.16. The Community Engagement Plan will be supported by communications, which include a presence on the City's website, a DL sized flyer available for drop-in sessions and will be included in the third instalment of Council rates for ratepayers, a media release promoting the community consultation, content in community newsletters, communications with key community and business groups, City News article and City Economy Newsletter article.
- 4.17. Extensive community engagement will be undertaken from 29 November 2023 to 2 February 2024 on the City's review of its Rating and Valuation Strategy and if approved, noting the City's intention (as approved at its October 2023 meeting) to move away from AAV to CV as the method of property valuation the City uses for calculating council rates.

## 5. Legal, Risk and Legislative Considerations

- 5.1. The legislative framework that the Council operates within for the purpose of rating is set out in various Acts, including:

5.1.1. *Local Government Act 1993, Part 9 – Rates and Charges.*

5.1.2. *Valuation of Land Act 2001.*

- 5.2. The Council has committed to engaging with the community on its Review.
- 5.3. If community engagement does not commence in 2023 there is a risk that there will be insufficient time to enable ratepayers and the broader community to provide feedback on the Review.
- 5.4. The City's draft Rating and Valuation Strategy must be considered by Council at its April 2024 meeting at the latest as it informs the rating considerations for the City's budget 2024-25. If there is any delay with community engagement the City will have insufficient time to develop its Rating and Valuation Strategy. It is therefore proposed that community engagement concludes on 2 February 2024.

## **6. Discussion**

- 6.1. It is proposed that Council approve the Rating System Options Paper for community consultation and the proposed approach to community engagement for the Review.
- 6.2. Feedback from the community on the City's rating system options will inform the development of a Rating and Valuation Strategy for the City.
- 6.3. The options have been developed following extensive consideration of all items in-scope for the Review and through a series of Elected Member workshops. More information on the options is included in the Options Paper at attachment A.
- 6.4. None of the options proposed have any impact on the total amount of rates and charges raised by Council. None of the options are favoured in particular and community feedback will be valuable in informing the most fair and equitable distribution of Council rates across the municipal area.
- 6.5. Analysis of the community consultation results arising from the consultation will assist in the development of a draft Rating and Valuation Strategy for Council's consideration and endorsement in April 2024.

## **7. Hobart: A Community Vision For Our Island Capital**

- 7.1. Direct community involvement in the determination of the City's Rating Strategy enables ratepayers and the broader community to inform the development of the most fair and equitable distribution of Council rates across the municipal area.

## 8. Capital City Strategic Plan

- 8.1. The report is also consistent with the City of Hobart Capital City Strategic Plan 2023, specifically:

Strategy 8.2.5 – maintain a rating system that supports fairness, capacity to pay and effectiveness.

- 8.2. Including community consultation as a key component of the Review is consistent with the City's Community Engagement Policy and the Community Engagement Framework.

## 9. Financial Viability

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

9.1.1. There is no impact from this proposal on the City's current year operating result. A change to the City's rating and valuation strategy does not result in a financial windfall for the Council. The City only collects the amount of revenue from rates and charges it requires from its budget each year.

9.1.2. The rating system options do not impact on the total rates revenue that is raised by Council each year.

9.1.3. Under the different rating system options some properties would pay less and other properties would pay more.

- 9.2. Impact on Future Years' Financial Result

9.2.1. There is no impact on future years' financial results. The Council levies rates on the basis of what is required from the Council's budget.

- 9.3. Asset Related Implications

9.3.1. Not applicable.

## 10. Community Engagement

- 10.1. It is intended that extensive community engagement will be undertaken from 29 November 2023 to 2 February 2024 on various options for the City's rating system. More information is included from sections 4.13 to 4.17 of this report.

## 11. Communications Strategy

- 11.1. At its meeting on 23 January 2023, the Council approved an appropriate communications and media strategy be developed to support the City's Rating and Valuation Strategy review.

- 11.2. Widespread communications will occur on the Review community engagement as outlined in s 4.14 above.

11.3. This is underway more broadly and will include communications on the City's valuation base.

*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: 20 November 2023  
File Reference: F23/119882

Attachment A: Draft Rating System Review - Options Paper (Supporting information) 

Attachment B: Rating Review - Community Engagement Plan (Supporting information) 



**16. Review of the Fire Service Act 1979 Funding Model - City of Hobart Draft Submission**  
**File Ref: F23/117568**

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Report of the Acting Head of Intergovernmental Relations and Partnerships of 22 November 2023 and attachment.

Delegation: Council

**REPORT TITLE: REVIEW OF THE FIRE SERVICE ACT 1979 FUNDING MODEL - CITY OF HOBART DRAFT SUBMISSION****REPORT PROVIDED BY:** Acting Head of Intergovernmental Relations and Partnerships**1. Report Summary**

- 1.1. The purpose of this report is to seek Council's endorsement of the City of Hobart's submission to the Tasmanian Government for the review of the Fire Services Act 1979 funding model.
- 1.2. The Tasmanian Government commenced a review of Tasmania's legislative framework for Fire and Emergency Services following a recommendation by the House of Assembly Standing Committee on Community Development into the State Fire Commission.
  - 1.2.1. The review was endorsed by the Tasmanian Government in 2017 to provide advice on how the Government could achieve:
    - A clear mandate and operating platform for fire services' functions.
    - An effective and efficient fire service operation that will provide value for money in the future.
    - A sustainable, stable, and equitable funding system for fire services.
  - 1.2.2. The new Tasmania Fire and Emergency Service Bill includes changes to governance, streamlining the approach to firefighting, the merging of the Tasmania Fire Service (TFS) and State Emergency Service (SES) – called the Tasmania Fire and Emergency Services (TFES) and a funding model to support the TFES.
- 1.3. Following concerns raised by various peak bodies about the fairness and cost of the changes to the fire levy, the Minister for Police, Fire and Emergency Management announced a working group would be established to work with stakeholders and the community to develop a model that is fair to households, businesses and the regions.
  - 1.3.1. The Tasmanian Government is however still seeking feedback on the proposed reforms with the community consultation process remaining open until 1 December 2023.

**2. Key Issues**

- 2.1. The submission supports the objective of the reform to ensure fire and emergency services are best positioned to prepare for and respond to emergencies.

- 2.2. The reform has been informed by a number of reports commissioned by the State Government. As a result of the reports new legislation has been proposed to replace the *Fire Service Act 1979*.
- 2.3. The new Tasmania Fire and Emergency Service Bill includes changes to governance, streamlining the approach to firefighting, the merging of the Tasmania Fire Service (TFS) and State Emergency Service (SES) – called the Tasmania Fire and Emergency Services (TFES) and a funding model to support the TFES.
  - 2.3.1. In principle the City is supportive of the proposal to formally bring together the Tasmania Fire and Emergency Services under one entity and the harmonisation of function performed across both services to manage risk and respond to emergencies.
- 2.4. The current funding model for fire and emergency services has not changed since 1979. There are currently seven different funding streams including three levies: insurance fire levy, a motor vehicle levy and a property-based levy which is paid through council rates.
  - 2.4.1. The City of Hobart's approach to rating is driven by key taxation principles including equity and fairness; capacity to pay; and simplicity. In designing a new property levy raised by councils through rating, it is important that the proposed property levy model is consistent with key taxation principles.
  - 2.4.2. The differential approach which is based on capacity to pay based on property type and land use needs more consideration to determine the benefit received from the property levy and a fair and equitable distribution of the property levy burden across the different types of ratepayers
  - 2.4.3. The transition to a new funding model, based on our own modelling, would lead to approximately \$3.9 million more in rates levied across City ratepayers annually. There would also be a 'bill shock' of increased rates for ratepayers in Fern Tree and rural areas who currently receive a remission of the fire levy as the area does not have a permanent fire brigade. Transition arrangements would be required need for a more gradual increase.
  - 2.4.4. The City also seeks to confirm that the commission for administering the fire service contribution from ratepayers should continue at its current rate to ensure the City has funds available to collect the property levy on behalf of the State Government.
  - 2.4.5. The proposed increase to the discount for eligible pensioners from 20 per cent of the property levy to 30 per cent of the property levy is supported in the submission.

- 2.4.6. The submission also points out other matters that will impact on the collection of the property levy. These include:
- 2.4.6.1. The proposed use of Assessed Annual Value (AAV) as a valuation approach. Raising the property levy using AAV and the rest of the rates using Capital Value (CV) would not be possible and inconsistent with rating legislation.
- 2.4.6.2. In the Bill it is a requirement that if the property levy is rounded to the whole dollar. Rates are levied to the dollars and cents and not rounded. The difference in approach would present administrative and system difficulties.
- 2.4.6.3. The Bill provides that the Treasurer is to determine the AAV rates before 31 May in any year. Advice on 31 May would mean that the City would have insufficient time to settle its rates and budget for the new financial year. The submission proposes that this advice is provided no later than 30 April each year.

### 3. ***Recommendation***

***That the Council endorse the submission, marked as Attachment B to this report, be provided to the Tasmanian Government to inform the review of the funding models for fire and emergency services as part of the review of the Fire Services Act 1979.***

### 4. **Background**

- 4.1. The Tasmanian Government commenced a review of Tasmania's legislative framework for Fire and Emergency Services following a recommendation by the House of Assembly Standing Committee on Community Development into the State Fire Commission.
- 4.1.1. The review was endorsed by the Tasmanian Government in 2017 to provide advice on how the Government could achieve:
- A clear mandate and operating platform for fire services' functions.
  - An effective and efficient fire service operation that will provide value for money in the future.
  - A sustainable, stable, and equitable funding system for fire services.
- 4.2. The Review of the Act commenced in 2017 and an Issues Paper was released for public consultation in 2018.

- 4.2.1. This was followed by the release of a draft report (the Blake Report) in 2021 which contained recommendations for the drafting of the new Fire Service Act.
- 4.2.2. In October 2021, the Treasury released an Options Paper on the potential impacts of different funding models, 20 submissions were received, and a series of targeted face-to-face meeting held. The Local Government Association Tasmania (LGAT) made a submission on behalf of the sector.
- 4.2.3. The Consultation Outcomes Report on the Blake Review and Treasury Options Paper (The Stevens Report) was released in 2022.
- 4.3. The current funding model for fire and emergency services has not changed since 1979. There are seven different funding streams including three levies: insurance fire levy, a motor vehicle levy and a property-based levy which is paid through council rates.
  - 4.3.1. The property levy is currently based on the brigade classification system. This means a property closer to a career brigade pays more than a property near a volunteer brigade. There are also different rates depending on the council area with a classification rate based on a percentage. This can lead to some households paying \$44 per annum and others paying over \$400.
  - 4.3.2. The Tasmanian Government contends that this results in funding uncertainty and variability which hinders service planning and other elements of providing an emergency service.
- 4.4. The proposed new funding model in the Bill is to abolish the Insurance Fire Levy, simplify the property-based levy and continue with the existing Motor Vehicle Levy but extend it to also include motorcycles.
  - 4.4.1. The property-based levy will be calculated using a property's Assessed Annual Value (AAV) as determined by the Valuer-General and land classifications based on land usage.
  - 4.4.2. Two options have been proposed for the property-based levy – see Attachment A.
    - 4.4.2.1. Option 1 is to set a single rate across Tasmania based on land classifications which will be calculated annually based on the requirements of the Tasmania Fire and Emergency Service. The rates will differ based on the land classification, for example 1 per cent for residential property to 2.4 per cent for commercial.

- 4.4.2.2. Option 2 is a two-tiered rate across Tasmania depending on whether the property is in a rural or urban area. Option 2 will mean that the rates will be standardised between cities but essentially urban areas will continue to pay similar rates as they do now. For regional areas there will be a smaller increase than under option 1 and greater equity between rural areas.

## 5. Legal, Risk and Legislative Considerations

- 5.1. Section 79 of the Fire Services Act 1979 provides that local councils must contribute annually an amount towards the operating costs of brigades. This amount is calculated on assessed AAV and the category of land based on the type of local brigade.

- 5.1.1. Pursuant to the Act 1979, local government acts as a collection agent for this levy, which is paid directly to the State Fire Commission.

## 6. Capital City Strategic Plan

- 6.1. 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.


Strategy 8.2.5 – Maintain a rating system that supports fairness, capacity to pay and effectiveness.

*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.*



David McIver  
**ACTING HEAD OF  
INTERGOVERNMENTAL RELATIONS  
AND PARTNERSHIPS**

Date: 22 November 2023  
File Reference: F23/117568

Attachment A: Options paper - funding model for the Tasmania Fire and Emergency Service (Supporting information) 

**17. Procurement - Quotation Exemption Report**  
**File Ref: F23/118558**

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Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 13 November 2023 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 2023 for the information of Elected Members.
- 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 2023.
- 2.4. It is proposed that Council note the exemptions from the requirement to seek three written quotes granted for the period 1 July to 30 September 2023.

**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 2023 and 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 three written quotes be presented as at 31 March, 30 June, 30 September and 31 December each year.*
- 4.2. A report outlining the quotation exemption from the requirement to seek three written quotes granted during the period 1 July to 30 September 2023 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 2023 there were two 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. One exemption was granted on the grounds that a public request for quotation process was undertaken, where at least three written quotations were sought and only one provider responded,. The other exemption was granted on the grounds that the services were additional services by the original supplier intended as extensions or continuing services.

## 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 Council note the exemptions granted from the requirement to seek three written quotes for the period 1 July to 30 September 2023.

6.2. As outlined in the Code, quotation exemptions for a value under \$50,000, that is where one or two 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 acting Chief Executive Officer.

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

## 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 to *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 2023-24 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: 13 November 2023  
File Reference: F23/118558

Attachment A: Report - Quotation Exemptions Granted (3 Quotes) 1 July to 30 September 2023 (Supporting information) 

**18. Governing Hobart - Governance Model Review Update**  
**File Ref: F23/121626**

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Report of the Director City Enablers of 21 November 2023.

Delegation: Council

**REPORT TITLE: GOVERNING HOBART - GOVERNANCE MODEL  
REVIEW UPDATE****REPORT PROVIDED BY:** Director City Enablers**1. Report Summary**

1.1. This report seeks to provide an update on the progress of the 'full review of the City of Hobart's Governance Model, with the exception of the Portfolio Committees, that is scheduled to be provided to Council in December 2023.

**2. Key Issues**

2.1. Given the recent appointment of a new Chief Executive Officer (CEO) who will commence with the City on 5 February 2024, it is proposed that the full review of the City's Governance Model be deferred until the CEO's arrival.

**RECOMMENDATION**

***That Council agree by absolute majority that the full review of Council's governance model be extended until August 2024 to align with the review of the Portfolio Committees.***

### 3. Background

- 3.1. Council previously determined via resolution at its 28 August 2023 meeting that:
1. *The Council note the high-level sense check of the City of Hobart's Governance Model.*
  2. *A full review of the City of Hobart's Governance Model, with the exception of Portfolio Committees, be provided to the Council in December 2023 and will include:*
    - (i) *A review of delegations;*
    - (ii) *A review of Portfolio Committee Terms of Reference.*
  3. *A full review of the Portfolio Committee component of the City of Hobart's Governance Model be undertaken in August 2024.*
  4. *The Council approve the implementation of a 'Council Agenda Briefing' session to be held once a month on the Monday the week of publication of the Council Agenda.*

### 4. Discussion

- 4.1. Given the recent appointment of a new CEO who will commence with the City on 5 February 2024, it is proposed that the full review of the City's Governance Model be deferred until the CEO's arrival.
- 4.2. It is noted that the City will be undertaking a detailed review of the Portfolio Committee governance arrangements, anticipated to be completed by August 2024, which aligns with the completion of the Portfolio Committees first round of work plans.
- 4.3. In this regard, it is proposed that the full review of the City of Hobart's Governance Model and delegations, be deferred until this time which will also allow for sufficient consultation to occur with the new CEO.
- 4.4. Amended Terms of Reference for each of the Portfolio Committees will, however, still be provided to the Council in December 2023 to formalise some administrative improvements which were identified during the sense check review report to Council in August 2023, such as clarification around the process for appointing expert committee members and new appointments resulting from resignations.
- 4.5. It can also be noted that the Governance Team has commenced work drafting a new master delegation instrument for the CEO, which is anticipated to be in place ahead of the commencement of Council's new CEO, subject to Council approval.
- 4.6. Work is also underway to develop a regular 'governance report' to Council which aligns with reporting structures in the Annual Plan and

Annual Report, be strategic in nature and avoid duplication where matters are already regularly reported elsewhere, such as meeting attendance.

- 4.7. Further, it is noted the final report into local government reform, changes to the Model Code of Conduct, Amendments to the *Local Government Act 1993* will be considered at the appropriate time.
- 4.8. Given this report recommends amending a previous decision of Council it will need be resolved in accordance with Regulation 18 of the *Local Government (Meeting Procedures) Regulations 2015*, via 18(2)(a), which requires an absolute majority to support the decision.

## **5. Hobart: A Community Vision For Our Island Capital**

- 5.1. The changes made the City's Governance model are consistent with all statements in Pillar 8 of the Community Vision, including:
  - 8.1 *We are strong in our ethics*
  - 8.2 *We build and maintain strong partnerships*
  - 8.3 *We have access to decision makers*
  - 8.4 *Our leadership reflects our communities*
  - 8.5 *We communicate and engage*
  - 8.6 *We are involved in civic life*

## **6. Capital City Strategic Plan**

- 6.1. A review of the Governance Model is consistent with outcome statements in Pillar 8 of the Capital City Strategic Plan 2019-2029, including:
  - 8.1 *Hobart is a city of best practice, ethical governance and transparent decision-making.*
  - 8.2 *Strong partnerships and regional collaboration make Hobart a thriving capital City of Hobart.*
  - 8.3 *City leadership is accessible and reflects Hobart communities.*
  - 8.4 *People are involved in civic life, and the City's communication and engagement with Hobart communities are proactive and inclusive.*

## **7. Financial Viability**

- 7.1. Funding Source and Impact on Current Year Operating Result
  - 7.1.1. Not applicable

7.2. Impact on Future Years' Financial Result

7.2.1. Not applicable

7.3. Asset Related Implications

7.3.1. Not applicable

*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 Reynolds  
**DIRECTOR CITY ENABLERS**

Date: 21 November 2023  
File Reference: F23/121626



**19. Governing Hobart - Proposed 2024 Governance Calendar**  
**File Ref: F23/117775**

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Report of the Director City Enablers of 14 November 2023 and attachments.

Delegation: Council

**REPORT TITLE: GOVERNING HOBART - PROPOSED 2024  
GOVERNANCE CALENDAR****REPORT PROVIDED BY:** Director City Enablers**1. Report Summary**

1.1. The purpose of this report is to:

1.1.1. Consider the 2024 Governance Calendar (meeting schedule), provided as Attachment A.

1.1.2. Consider a temporary delegation for the Director City Life, and

1.1.3. Seek Council endorsement of changes to the *Meetings: Procedures and Guidelines Policy*.

**2. Key Issues**

2.1. A meeting schedule is compiled annually which outlines the meeting dates for Council, Workshops, Portfolio Committees and the Planning Committee meetings.

2.2. Formalising a meeting schedule now, provides the community, elected members and staff with a preliminary calendar for the conduct of Council business and forward planning.

2.3. The proposed 2024 meeting schedule, follows a similar format to 2023:

2.3.1. Council meetings monthly

2.3.2. Planning Committee meeting fortnightly

2.3.3. Workshops fortnightly, and

2.3.4. Portfolio Committees quarterly

2.4. This report also recommends a temporary delegation to the Director City Life to determine planning applications in order to facilitate the processing of planning permit applications during the period 21 December 2023 and 16 January 2024.

2.5. Additionally, a review has been undertaken of the *Meetings: Procedures and Guidelines Policy*. A number of changes are recommended to the Policy and are shown in track changes provided as Attachment B.

**3. Recommendation**

**That:**

- 1. The Council adopt the 2024 Governance Calendar (meeting schedule) marked as Attachment A to this report.**
- 2. If any urgent matters arise which cannot be accommodated within the 2024 meeting schedule, special meetings of the Council be convened as required.**
- 3. To facilitate the processing of planning permit applications during the period 21 December 2023 to 16 January 2024, the Director City Life be provided with the following delegation:**
  - (i) To determine all planning permit applications which would otherwise be determined by the Planning Committee in circumstances where it would not otherwise be possible to determine the application within the statutory time period required under Sections 57(6), 57(6A), 58(2) or 58(2A) of the Land Use Planning and Approvals Act 1993, and an extension of time cannot be obtained, unless an Elected Member has requested the convening of a special meeting or meetings of the Planning Committee to determine an application and there is sufficient time to arrange a special meeting prior to the expiry of the statutory time period required under those sections for the period 21 December 2023 to 16 January 2024 inclusive.**
- 4. The Council adopt the proposed changes to the Meetings: Procedures and Guidelines Policy, shown in track changes and marked as Attachment B to this report.**

#### 4. Discussion

- 4.1. A meeting schedule is compiled annually which outlines the various meeting dates for Council and Council committees. The proposed 2024 schedule, follows a similar format to 2023:
  - 4.1.1. Council meetings and Workshops are programmed for Monday's.
  - 4.1.2. Portfolio Committees are programmed for Tuesday's.
  - 4.1.3. Planning Committee is programmed for Wednesday's.
- 4.2. The schedule has been planned in such a way as to provide elected members with a break from meetings over the January, July and October school holidays periods as well as the Easter holiday period.

##### Council Meetings

- 4.3. Council meetings are programmed monthly, with the first commencing on 29 January 2024.
- 4.4. There is an average of four (4) weeks between meetings with the exception being between January and February meetings where there is a three (3) week cycle and March and April where there is a six (6) week cycle.
  - 4.4.1. The three-week cycle is to accommodate the fortnightly Planning Committee cycle avoiding the Planning Committee and Council meetings occurring in the same week. This coupled with Easter week in early April is the reason for the six-week cycle between March and April meetings.
- 4.5. In the event that any urgent business arises which cannot be accommodated within the proposed meeting schedule, special meetings can be convened as required.

##### Workshops

- 4.6. Workshops are on average programmed fortnightly with 23 programmed over the course of the calendar year.
- 4.7. There are some minor variations to the Workshop program at the start of the year to accommodate public holidays and programming around the Council's consideration of the Rating Strategy Review.
- 4.8. Additional Workshops will continue to be programmed as determined required by the Chief Executive Officer.

## Planning Committee

- 4.9. Planning Committee meetings are programmed fortnightly with the first occurring on 17 January 2023.
- 4.10. There are 25 meetings programmed over the course of the calendar year, consistently programmed for every two weeks.
- 4.11. Due to the break in Planning Committee meetings from the last meeting on 20 December 2023 and the first meeting on 17 January 2024, this report also recommends a temporary delegation to the Director City Life to determine planning applications in order to facilitate the processing of planning permit applications during the period 21 December 2023 and 16 January 2024:
  - 4.11.1. *To determine all planning permit applications which would otherwise be determined by the Planning Committee in circumstances where it would not otherwise be possible to determine the application within the statutory time period required under Sections 57(6), 57(6A), 58(2) or 58(2A) of the Land Use Planning and Approvals Act 1993, and an extension of time cannot be obtained, unless an Elected Member has requested the convening of a special meeting or meetings of the Planning Committee to determine an application and there is sufficient time to arrange a special meeting prior to the expiry of the statutory time period required under those sections for the period 21 December 2023 to 16 January 2024 inclusive.*

## Portfolio Committees

- 4.12. There are 11 Portfolio Committees with a total of 44 individual meetings scheduled during the 2024 calendar year.
- 4.13. Each Portfolio Committee meets quarterly with an average of around 12 weeks between meetings.
- 4.14. Meetings of Portfolio Committees continue to be programmed concurrently (two at the same time) on the dates indicated in the meeting schedule.
- 4.15. It should be noted there was a request from some Portfolio Committees to avoid scheduling meetings during school holidays. As noted at point 4.2, the schedule has been planned in such a way as to provide a break from meetings over the January, July and October school holidays periods as well as the Easter holiday period however there are still occurrences where some Portfolio Committees will be meeting during school holidays.
- 4.16. In addition to the quarterly meetings, the Chairperson of each portfolio and the relevant Portfolio Sponsor (Director) will also continue to meet on a month basis to discuss matters related to their Portfolio. Although

not a Portfolio Committee, monthly meetings also occur with the Planning Committee Chair and City Life Director in the same format.

#### Other Meetings

- 4.17. The meeting schedule also programs the following additional meetings:
  - 4.17.1. Risk and Audit Panel which, in accordance with the Terms of Reference, meet six (6) times a year.
  - 4.17.2. Elected Member Annual Planning Retreat on 18 and 19 October 2024, and
  - 4.17.3. Annual General Meeting on 11 December 2024, following the Ordinary Council meeting.

#### Meetings: Procedures and Guidelines Policy

- 4.18. Given the Council's consideration of the 2024 meeting program, it was timely to also undertake a review of the Council's *Meetings: Procedures and Guidelines Policy* (the Policy).
- 4.19. The objective of the Policy is to provide a framework for the effective conduct and governance of the various meetings of the Council.
- 4.20. The Policy supports the *Local Government (Meeting Procedures) Regulations 2015* and contains a range of matters of relevance to the conduct of meetings which have previously been determined by the Council.
- 4.21. The Policy was last endorsed by the Council in February 2022 prior to the Council's endorsement of the new Governance Model which occurred in November 2022.
- 4.22. The proposed changes, shown in track changes at Attachment B, capture changes in the Governance Model endorsed by Council in November 2023, subsequent Council decisions as they relate to Notice of Motions and administrative changes implemented by the Executive Leadership Team in consultation with Elected Members over the past 18 months.
- 4.23. It should be noted, the conduct of Portfolio Committee meetings is also outlined within each Committees Terms of Reference. These will be the subject of a further review at a later date.
- 4.24. It is recommended that the Council adopted the amended Policy, provided as Attachment B to this report.

## 5. Legal, Risk and Legislative Considerations

- 5.1. In accordance with Regulation 7(2) of the *Local Government (Meeting Procedures) Regulation 2015*, the Council's adopted meeting schedule

will be advertised in the Mercury in early January and also published on the City of Hobart website.

## 6. Capital City Strategic Plan

6.1. The Governance Model and preparation of an annual Governance Calendar aligns with the Capital City Strategic Plan, specifically Pillar 8, Governance and Civic Involvement:

6.1.1. We are a city of ethics and integrity. We govern with transparency and accountability, encouraging and welcoming active civic involvement. We collaborate for the collective good, working together to create a successful Hobart.

## 7. Financial Viability



7.1.1. Not applicable.

*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 Reynolds  
**DIRECTOR CITY ENABLERS**

Date: 14 November 2023  
File Reference: F23/117775

Attachment A: DRAFT 2024 Governance Calendar (Supporting information)   
Attachment B: DRAFT Amended 'Meetings: Procedure and Guidelines' Policy (Supporting information) 

**20. Quarterly Financial Report - 30 September 2023**  
**File Ref: F23/119280**

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Report of the Chief Financial Officer of 22 November 2023.

Delegation: Council



**REPORT TITLE: QUARTERLY FINANCIAL REPORT - 30 SEPTEMBER 2023****REPORT PROVIDED BY:** Chief Financial Officer**1. Report Summary**

- 1.1. As at 30 September 2023, the City was reporting an operating deficit of \$2.1 million.
- 1.2. The full year 2023-24 Budget is a surplus of \$504 000.
- 1.3. As at 30 September 2023, the City had spent \$4.4 million or 12.5 per cent of the full year Budget of \$35 million for capital activities, including plant and equipment.

**2. Key Issues**

## 2.1. Operating Activities:

Category	Year to Date				Full Year			Forecast Full Year Result
	Budget	Actual	Variance	Variance	Original Budget	Revised Budget	Revised Budget	
	(\$,000)	(\$,000)	(\$,000)	%	(\$,000)	(\$,000)	(\$,000)	(\$,000)
<b>Revenue</b>								
Rates and Charges	109,127	108,865	(263)	(0.2)	109,701	109,701	0	109,701
Fire Levy Commission	196	186	(10)	(5.0)	870	870	0	870
Fines	2,080	1,952	(128)	(6.1)	8,320	8,320	0	8,320
Fees and Charges - Car Parks	3,390	2,968	(422)	(12.5)	13,562	13,562	0	13,562
Fees and Charges - On Street Parking	1,924	2,380	456	23.7	7,694	7,694	0	7,694
Other Fees and Charges	4,054	4,760	706	17.4	15,372	15,372	250	15,621
Operating Grants	1,082	1,296	214	19.8	4,343	4,343	471	4,814
Interest	414	221	(193)	(46.6)	1,657	1,657	0	1,657
Rents	835	1,124	289	34.6	3,419	3,419	0	3,419
Tas Water Distributions	543	0	(543)	(100.0)	2,606	2,606	0	2,606
<b>Total Revenue</b>	<b>123,647</b>	<b>123,754</b>	<b>106</b>	<b>0.1</b>	<b>167,545</b>	<b>167,545</b>	<b>721</b>	<b>168,266</b>
<b>Expenditure</b>								
Labour	19,639	20,062	(423)	(2.2)	73,073	73,073	251	73,323
Materials and Services	9,537	9,299	238	2.5	34,414	34,414	471	34,884
Energy Costs	614	376	238	38.8	2,456	2,456	0	2,456
Finance Costs	105	26	79	75.3	1,815	1,815	0	1,815
Fire Levy	3,558	3,558	0	0.0	14,234	14,234	0	14,234
Depreciation	8,750	11,899	(3,149)	(36.0)	35,000	35,000	0	35,000
Asset Write-offs	300	149	151	50.3	1,200	1,200	0	1,200
Bad Debts	88	0	88	100.0	351	351	0	351
Other Expenses	1,095	500	595	54.3	4,500	4,500	0	4,500
<b>Total Expenditure</b>	<b>43,686</b>	<b>45,870</b>	<b>(2,183)</b>	<b>(5.0)</b>	<b>167,041</b>	<b>167,041</b>	<b>721</b>	<b>167,762</b>
<b>Underlying Result</b>	<b>79,960</b>	<b>77,884</b>	<b>(2,076)</b>	<b>(2.6)</b>	<b>504</b>	<b>504</b>	<b>0</b>	<b>504</b>

### 3. Year-to-Date Variations

- 3.1. As at 30 September 2023, revenue is above budget by \$106 000. This is primarily due to:
  - 3.1.1. An increase in Other Fees and Charges of \$706 000, which primarily reflects timing issues. This includes receipts for animal registration fees and the Tasmanian Travel and Information Centre advertising fees. There were also additional contributions related to the Southern Tasmania Regional Land Use Strategy (STRLUS).
  - 3.1.2. This amount was offset by \$543 000 in Tas Water Distributions, which is a timing issues only, with the revenue subsequently received in October 2023.
- 3.2. As at 30 September 2023, expenditure is \$2.2 million greater than the year-to-date budget. This is primarily due to:
  - 3.2.1. The Depreciation expense being \$3.1 million greater than the estimate.
  - 3.2.2. The City has commenced a review of depreciation expenses. Any forecast update from this review will be reflected in subsequent reports.
  - 3.2.3. The additional Depreciation expenditure is offset by \$595 000 in Other Expenses, which are timing issues related to grant payments, which have subsequently been paid in October 2023.

#### 4. Operating Variation Requests

4.1. The following amendments to the existing Operational Budget are proposed:

Category	Amount (\$'000)	Reason
Revenue (increases)	721	Carry forward of unspent operational grant revenue from 2022-23, consisting of: <ul style="list-style-type: none"> <li>• Healthy Tasmania Lift Local Grant (\$20,000)</li> <li>• STRLUS Regional Planning Coordination Project (\$524,800)</li> <li>• Sparking Conversations, Igniting Action Grant (\$160,177)</li> <li>• CityPILOTS program- RISE grant funded (\$4,267)</li> <li>• Positive Ageing - Still Gardening Program (\$11,876)</li> </ul>
Expenditure (increases)	721	Carry forward of unspent operational grant revenue from 2022-23, consisting of: <ul style="list-style-type: none"> <li>• Healthy Tasmania Lift Local Grant (\$20,000)</li> <li>• STRLUS Regional Planning Coordination Project (\$524,800)</li> <li>• Sparking Conversations, Igniting Action Grant (\$160,177)</li> <li>• CityPILOTS program- RISE grant funded (\$4,267)</li> <li>• Positive Ageing - Still Gardening Program (\$11,876)</li> </ul>

## 5. Operating Variation Requests

- 5.1. The following amendments to the existing Plant and Equipment Budget are proposed:

Category	Amount (\$'000)	Reason
Revenue (increases)	23	Carry forward of unspent operational grant revenue from 2022-23 related to the CityPILOTS program- RISE grant funded.
Expenditure (increases)	23	Carry forward of unspent operational grant revenue from 2022-23 related to the CityPILOTS program- RISE grant funded.

## 6. Capital Work Activities

Capital Category	Year to Date				Original Budget	Full Year	
	Budget	Expenditure	Variance	Variance		Revised (Approved) Budget	Revised (Pending) Budget
	\$'000	\$'000	\$'000	%		\$'000	\$'000
New Assets	891	997	(106)	(12)	11,969	11,969	0
Renewal Assets	2,659	2,075	585	22	13,538	13,538	685
Upgrade Assets	781	609	172	22	4,951	4,951	0
Expensed	25	205	(180)	(719)	257	257	0
Plant and Equipment	1071	504	567	100	4,285	4,285	23
<b>Total</b>	<b>5,428</b>	<b>4,389</b>	<b>1,038</b>	<b>19</b>	<b>35,000</b>	<b>35,000</b>	<b>708</b>

- 6.1. As at 30 September 2023, \$4.4 million or 12.5 per cent of the full year budget has been spent.
- 6.2. Capital Works expenditure is \$1 million less than the year-to-date budget allocation. However, this result is to be expected as the final Capital Works Program was formally endorsed at the September 2023 Council Meeting.
- 6.3. It is anticipated additional Capital Works expenditure will now occur over the remainder of the financial year.

## 7. Capital Work Variation Requests

7.1. The following amendments to the existing Capital Works Budget are proposed:

Category	Amount (\$'000)	Reason
Capital Revenue (increases)	685	Additional grant revenue received for Local Roads and Community Infrastructure Program (LRCl)
Capital Expenditure (increases)	685	Additional grant revenue received for Local Roads and Community Infrastructure Program (LRCl)
Capital Transfers	0	Budget transfer from Waterways projects provision (\$330,000) for Paviour Street to New Town Road – Pipe renewal (\$130,000) and Faraday Street to Cavell Street – Stormwater pipe relining (\$200,000)

## 8. Loans and Investments

8.1. As at 30 September 2023, the City had:

8.1.1. Seven loans with an outstanding balance of \$48.6 million:

Lender	Loan Amount	Loan Date	Term	Maturity Date	Interest Rate	Balance
	\$,000				%	\$,000
Tascorp	2,375	30/06/2014	10	30/06/2024	4.56	288
Tascorp	15,000	30/06/2021	3	30/06/2024	1.09	5,054
Tascorp	5,000	24/08/2021	3	24/08/2024	0.93	1,682
National	10,000	29/06/2018	15	30/06/2033	4.02	7,297
Tascorp	20,000	18/01/2019	15	18/01/2034	3.59	15,076
National	20,000	9/04/2020	15	27/03/2035	2.45	16,009
C'wealth Bank	4,800	30/06/2006	30	30/06/2036	6.41	3,163
<b>Totals</b>	<b>77,175</b>					<b>48,569</b>

8.1.2. 18 current term deposit investments, with the total invested being \$58 million:

Description	Amount	Interest Rate	Date Lodged	Maturity Date	Interest Paid on Maturity
	\$'000	%			\$'000
<b>Term Deposit Accounts</b>					
Beyond Bank Australia	3,000	4.65	01/05/2023	01/11/2023	70
Australian Unity Bank	3,000	4.90	29/05/2023	04/12/2023	76
Australian Military Bank	3,000	5.00	02/06/2023	04/12/2023	76
Bendigo & Adelaide	3,000	5.35	20/06/2023	18/12/2023	80
G&C Mutual	3,000	5.25	03/07/2023	02/01/2024	79
Police Bank	3,000	5.60	11/07/2023	09/01/2024	84
MyState	3,000	4.45	24/02/2023	26/02/2024	119
BankVic	3,000	4.85	27/02/2023	27/02/2024	145
P&N Bank	3,000	4.85	27/02/2023	27/02/2024	145
Bank of Us	3,000	4.80	03/03/2023	04/03/2024	145
Suncorp	7,000	4.80	03/03/2023	04/03/2024	336
Defence Bank	3,000	5.15	06/06/2023	05/03/2024	116
Hume Bank	3,000	5.10	13/09/2023	12/03/2024	76
Heritage Bank	3,000	5.75	06/07/2023	08/07/2024	174
Great Southern Bank	3,000	5.36	08/08/2023	06/08/2024	160
Bank of Queensland	3,000	5.00	29/08/2023	27/08/2024	150
Gateway Bank	3,000	4.90	30/08/2023	27/08/2024	146
Bank of Australia	3,000	5.15	05/09/2023	03/09/2024	155
<b>Total Term Deposit Accounts</b>	<b>58,000</b>				<b>2,332</b>

8.1.3. \$20.4 million in cash, in addition to the investments. The total included \$1.7 million in the Heritage Account.

## 9. Recommendation

**That:**

1. **The Quarterly Financial Report – 30 September 2023 be noted; and**
2. **The following proposed Operational and Capital Works variation requests to update the City's 2023-24 Budget Estimates be approved:**

Category	Amount (\$'000)	Reason
Operating Revenue (increases)	721	Carry forward of unspent operational grant revenue from 2022-23, consisting of: <ul style="list-style-type: none"> <li>• Healthy Tasmania Lift Local Grant (\$20,000)</li> <li>• STRLUS Regional Planning Coordination Project (\$524,800)</li> <li>• Sparking Conversations, Igniting Action Grant (\$160,177)</li> <li>• CityPILOTS program- RISE grant funded (\$4,267)</li> <li>• Positive Ageing - Still Gardening Program (\$11,876)</li> </ul>
Operating Expenditure (increases)	721	Carry forward of unspent operational grant revenue from 2022-23, consisting of: <ul style="list-style-type: none"> <li>• Healthy Tasmania Lift Local Grant (\$20,000)</li> <li>• STRLUS Regional Planning Coordination Project (\$524,800)</li> <li>• Sparking Conversations, Igniting Action Grant (\$160,177)</li> <li>• CityPILOTS program- RISE grant funded (\$4,267)</li> <li>• Positive Ageing - Still Gardening Program (\$11,876)</li> </ul>
Plant and Equipment Revenue (increases)	23	Carry forward of unspent operational grant revenue from 2022-23 related to the CityPILOTS program- RISE

Category	Amount (\$'000)	Reason
Plant and Equipment Expenditure (increases)	23	Carry forward of unspent operational grant revenue from 2022-23 related to the CityPILOTS program- RISE

Capital Revenue (increases)	685	Additional grant revenue received for Local Roads and Community Infrastructure Program (LRCl)
Capital Expenditure (increases)	685	Additional grant revenue received for Local Roads and Community Infrastructure Program (LRCl)
Capital Transfers	0	Budget transfer from Waterways projects provision (\$330,000) for Paviour Street to New Town Road – Pipe renewal (\$130,000) and Faraday Street to Cavell Street – Stormwater pipe relining (\$200,000)

*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: 22 November 2023  
File Reference: F23/119280



**REPORTS OF THE CHIEF EXECUTIVE OFFICER**

**21. 2022-23 Financial Statements**  
**File Ref: F23/115329; 16/119**

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Report of the Financial Operations Manager, the Chief Financial Officer, and the Acting Chief Executive Officer of 13 November 2023 and attachments.

Delegation: Council

**REPORT TITLE: 2022-23 FINANCIAL STATEMENTS****REPORT PROVIDED BY:** Financial Operations Manager  
Chief Financial Officer  
Acting Chief Executive Officer**1. Report Purpose and Community Benefit**

1.1. The purpose of this report is to present the financial statements for the year ended 30 June 2023 for adoption by Council.

**2. Report Summary**

2.1. The City's financial statements for the year ended 30 June 2023 have been prepared and independently audited.

2.2. The Auditor-General has completed the audit and issued an unqualified audit opinion (see **Attachments A and B**).

2.3. The City's 2022-23 underlying deficit of \$2.7 million is \$3.2 million unfavourable compared to the original 2022-23 budget position of a \$533,000 surplus.

**3. Recommendation**

***That the Council note that in accordance with section 84(4) of the Local Government Act 1993 that the Chief Executive Officer, being the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993, table the certified financial statements for the year ended 30 June 2023, marked as Attachment C to this report.***

**4. Background**

4.1. The financial statements for the year ended 30 June 2023 have been prepared on a consistent basis with prior years.

4.2. The financial statements were presented to the Risk and Audit Panel on 11 August 2023 and delivered to the Auditor-General on 14 August 2023.

4.3. The financial statements were re-presented to the Risk and Audit Panel at its meeting on 18 October 2023. The Risk and Audit Panel accepted the financial statements for tabling at the next available meeting of the Council.

4.4. The financial statements are attached to this report (see **Attachment C**). Highlights of the financial statements are detailed in Section 7 below.

**5. Proposal and Implementation**

5.1. It is proposed that Council note the financial statements.

**6. Strategic Planning and Policy Considerations**

6.1. There are no direct strategic planning implications.

**7. Financial Implications**

7.1. Financial Sustainability Outcomes

- 7.1.1. As outlined in the City’s Long-term Financial Management Plan (LTFMP), eight financial sustainability measures have been adopted for the purpose of measuring the City’s financial sustainability.
- 7.1.2. Indicators 1-2 are measures of profit and performance and the extent to which expenses are covered by revenues.
- 7.1.3. Indicators 3-4 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).
- 7.1.4. Indicator 5 measures the proportion of income required to meet net interest costs.
- 7.1.5. Indicators 6-8 are measures of asset management.
- 7.1.6. The City’s performance against the eight financial sustainability indicators is shown in Table 1 below:

**Table 1: Performance against Financial Sustainability Indicators**

Indicator	Description	Budget 2022/23	Actual 2022/23	Budget achieved (✓/ X)	Benchmark	Benchmark achieved (✓/ X)
1	Underlying Surplus	\$533,000	-\$2,579,000	X	> 0	X
2	Underlying Surplus Ratio	0.35%	-1.64%	X	0% - 2%	X
3	Net Financial Liabilities *	-\$65,646,000	-\$31,404,000	✓	> -\$77M	✓
4	Net Financial Liabilities Ratio	-42.55%	-20.00%	✓	> -50%	✓
5	Net Interest Expense Cover Ratio	1.12%	-0.40%	✓	< 7%	✓
6	Asset Sustainability Ratio	91.85%	78.81%	X	100%	X
7	Asset Consumption Ratio	56.58%	59.28%	✓	40% - 80%	✓
8	Asset Renewal Funding Ratio	107.97%	92.79%	X	100%	X

\*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).

- 7.1.7. Actual results have not met budget or benchmark with the profitability indicators 1 and 2.
- 7.1.8. Budget and benchmark have been achieved with the indebtedness and loan servicing indicators 3 to 5.
- 7.1.9. Asset management indicators 6 and 8 have not achieved budget or benchmark, however indicator 7 has achieved both targets.

## 7.2. Underlying Result

- 7.2.1. The underlying result for 2022-23 is a deficit of \$2.7 million (2021-22 \$5.6 million surplus). The underlying result excludes capital grants, contributed infrastructure assets, the advance receipt of financial assistance grants and profits on sale of property. This result is \$3.2 million unfavourable against the original budget position of a \$533,000 surplus.
- 7.2.2. The \$3.2 million unfavourable variance is mainly due to higher than budgeted materials and services costs of \$7.8 million (24 per cent) and depreciation of \$3.7 million (11 per cent). These are partly offset by lower than budgeted employee costs of \$4.5 million (7 per cent) and higher than budgeted interest revenue of 2.1 million (841 per cent).
- 7.2.3. The Auditor-General guidelines for calculating the underlying result have been followed in calculating the above numbers.

## 7.3. Cash Position

- 7.3.1. Cash balances have reduced by \$18 million from \$37 million to \$19 million.
- 7.3.2. Investments have increased by \$15.7 million from \$28.3 million to \$44 million.
- 7.3.3. Term deposits with a maturity greater than three months are classified as investments on the balance sheet.
- 7.3.4. 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.

## 7.4. Rate revenue

- 7.4.1. Rate revenue totalled \$101 million (2021-22 \$96.9 million) and represents approximately 64 per cent of underlying revenue.
- 7.4.2. The increase of \$4.1 million is the result of:
- A 2.27 per cent increase to fund the increased cost of providing existing services;
  - A 6.62 per cent increase to fund the increase in the State Government fire levy; and
  - A 1.12 per cent increase in City's rate base (total AAV) due to development activity.

## 7.5. Asset Revaluations

7.5.1. 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 2022-23 and indexation was applied to others.

7.5.2. The results of the revaluation exercise were:

Buildings	\$37 million	Increment
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7.5.3. The results of the indexation exercise were:

Stormwater	\$31.6 million	Increment
Roads and Bridges	\$42.4 million	Increment
Land	\$625,000	Decrement
Land Improvements	\$21.6 million	Increment
Pathways & Cycleways	<u>\$7.7 million</u>	Increment
	<u>\$102.7 million</u>	Increment

7.5.4. The Buildings asset class revaluation was undertaken mainly using advice from qualified independent valuers, Knowledge Asset Management.

7.5.5. The above revaluation increments have been recognised in "other comprehensive income".

## 7.6. Contributed Property, Plant and Equipment

7.6.1. Contributed property, plant and equipment essentially comprises assets required to be constructed for the City by developers.

7.6.2. During 2022-23, these amounted to \$4.3 million (2021-22 \$8.7 million) and were mainly derived from the takeover of subdivisions in Lenah Valley (Beaumont Road, 143 Pottery Road and 221A Lenah Valley Road) and at West Hobart (66 Summerhill Road).

## 7.7. Asset Write-offs

7.7.1. Asset write-offs mainly comprise infrastructure assets replaced as part of the City's on-going asset renewal program.

- 7.7.2. Asset write-offs totalled \$1.6 million (2021-22 \$1.3 million) and were in respect of the following asset sub-classes:

Roads and Bridges	\$1.1 million
Land Improvements	\$102,000
Pathways & Cycleways	\$234,000
Other	\$101,000

7.8. Investment in TasWater

- 7.8.1. The City has an ownership interest in TasWater, which is accounted for as an equity investment at fair value through other comprehensive income.
- 7.8.2. Distributions received from TasWater are recognised as revenue and included in the City's surplus.
- 7.8.3. The value of the City's ownership interest at any point in time is calculated by applying the City's ownership interest percentage (9.59 per cent) to TasWater's net asset value. The City's equity interest has reduced from 9.84 per cent last year due to the effect of the State Government's equity injection of 2,500,000 shares in TasWater during the year. Applying this methodology at 30 June 2023 produces a value for the City's ownership interest of \$168 million (30 June 2022 \$162.9 million). The \$5.1 million increase from the previous year has been recognised in "other comprehensive income" rather than in the surplus.

7.9. Defined-Benefit Superannuation Plan

- 7.9.1. The City's defined-benefit superannuation plan position has decreased by \$804,000 to a net asset of \$4.7 million at 30 June 2023. This movement is mainly due to:
- 7.9.1.1. The advised salary increase rate as at 1 July 2023 (6.86 per cent) exceeding the 2022 assumption (2.75 per cent);
- 7.9.1.2. The actual benefits paid in 2022-23 (\$3.4 million) were higher than expected (\$2.9 million), partly offset by;
- 7.9.1.3. An increase in the discount rate (from 3.60 per cent to 4.00 per cent) which increases the defined-benefit asset; and
- 7.9.1.4. The actual return on the assets for 2022-23 (7.70 per cent) was higher than the rate used to calculate the interest income on plan assets for the year (3.60 per cent).

#### 7.10. Changes in Accounting Standards

7.10.1. There were no new Standards issued by the Australian Accounting Standards Board that were relevant to the City's operations during 2022-23.

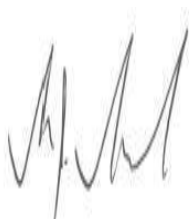
### 8. Legal, Risk and Legislative Considerations

- 8.1. The Chief Executive Officer, being the General Manager as appointed by the City pursuant to section 61 of the *Local Government Act 1993*.
- 8.2. 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*.
- 8.3. 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.
- 8.4. 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.
- 8.5. Section 84(3) of the *Local Government Act 1993* requires the Chief Executive Officer 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 is attached (refer **Attachment D**).
- 8.6. 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.
- 8.7. All of the above legal requirements have been complied with.

### 9. Delegation

- 9.1. This matter is delegated to the Council.

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



Michael Greatbatch  
**FINANCIAL OPERATIONS MANAGER**







Michelle Wickham  
**CHIEF FINANCIAL OFFICER**



Jacqui Allen  
**ACTING CHIEF EXECUTIVE OFFICER**

Date: 13 November 2023  
File Reference: F23/115329; 16/119

- Attachment A: Audit Opinion Cover Letter - Year Ended 30 June 2023  
(Supporting information) 
- Attachment B: Independent Auditors Report - Year Ended 30 June 2023  
(Supporting information) 
- Attachment C: Financial Statements - Year Ended 30 June 2023 (Supporting  
information) 
- Attachment D: Certification by Chief Executive Officer - Year Ended 30 June  
2023 (Supporting information) 



**22. Vacancies - Council Appointments**  
**File Ref: F23/117759**

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Report of the Acting Chief Executive Officer of 22 November 2023.

Delegation: Council



City of **HOBART**

## MEMORANDUM: COUNCIL

### Vacancies - Council Appointments

The departure from office of former Alderman Behrakis has created a number of Council appointment vacancies, namely:

- Planning Committee Chairperson
- LGAT Proxy Voting Delegate
- Housing with Dignity Reference Group

Now that the election to fill the causal vacancy on the Council has been completed, it is appropriate to consider filling these vacancies. Nomination from the Council are therefore required.

#### Planning Committee – Chairperson

Membership of the Planning Committee consists of all twelve (12) elected members who are automatically appointed following each ordinary election. Accordingly, the Council will need to appoint Councillor Will Coats who was elected to the Council via recount on 13 November 2023.

In accordance with regulation 10(3)(a) of the *Local Government Meeting Procedures Regulations 2015*, the Council is to appoint a member of the Committee as Chairperson.

#### Local Government Association of Tasmania (LGAT) – Proxy Voting Delegate

The appointed LGAT Voting Delegate is Lord Mayor Councillor Anna Reynolds.

The departure of former Alderman Behrakis leaves a vacancy as Proxy Voting Delegate.

#### Housing with Dignity Reference Group

This is an internal reference group comprising of community members with lived experience of homelessness or severe housing stress.

In accordance with the groups Terms of Reference, two Elected Members are appointed to participate in the reference group with one being elected to hold the position of Co-Chair alongside a Community Member Co-Chair.

It is noted that Councillor Lohberger is currently an appointed member of the Housing with Dignity Reference Group and has expressed an interest in being appointed as Co-Chair.

Should the Council elected Councillor Lohberger as Co-Chair, an appointment as member will still be required.

### **RECOMMENDATION**

**That:**

- 1. The Council appoint Councillor Will Coats as member of the Planning Committee.**
- 2. Elected Member nominations be sought to fill the vacancies of:**
  - (i) Planning Committee Chairperson**
  - (ii) Local Government Association of Tasmania Proxy Voting Delegate**
  - (iii) Housing with Dignity Reference Group Co-Chair**
  - (iv) Any consequential appointments required following the determination of points 2(i) to 2(iii).**
- 3. The above listed appointments be for the duration of the current term of the Council.**

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



Jacqui Allen  
**ACTING CHIEF EXECUTIVE OFFICER**

Date: 22 November 2023  
File Reference: F23/117759

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT  
(MEETING PROCEDURES) REGULATIONS 2015**

**23. Officer Reports**  
**File Ref: F23/122711**

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Councillor Elliot

**Motion**

“That the Council require that all reports that come to the Council are to:

1. include a full description of estimated costs for the life of the entirety of the activity and the budget status for the costs.
2. describe the use of any external consultants, including a description of why the use of external consultants is required and, when external consultants are not based in Tasmania, a description of why the use of non-local consultants is required and how the Local Preference Procurement Policy has been applied, and;
3. describe what, if any, opportunities there are for the Council to collaborate with other councils on the topic of the report to support information, resources and benefit sharing, and the status of and timeline for collaboration, particularly in relation to collaboration with Glenorchy City Council.”

**Rationale:**

“The Council requires accurate, timely and comprehensive information in order to undertake its role, with reports from officers forming a key part of the information the Council has available upon which to base its decisions.

At times, information in reports does not provide the full picture which inhibits sound decision-making and governance. For example, the report to Council in May 2023 about the development of the Climate Strategy stated that “\$110,000 has been directed to strengthening evidence-base to information the Climate Strategy” where as recent figures show that the cost involved in developing this document is over \$200,000. The report also states “as per budget” which is not informative given the Council had minimal access to the detail within the budget.

The report does not mention the use of external consultants, which are understood to be a large portion of the costs. Given our commitment to delivering value, Council should have on hand at the time of decision-making information related to what opportunities there are for collaborating with other councils to share information, costs and benefits. This is also inline with the local government review.

Similarly, the Council should have information relating to why external consultants are being used, and why non-local consultants are being used as part of monitoring the implementation of the Local Preference Procurement Policy.”

## Administration Response to Notice of Motion

### Discussion

1. Council report templates are designed in such a way to provide elected members with the information they require to make informed decisions.
2. The points raised in the motion can be captured within the existing report template headings, however, should the motion be adopted, the template would be reviewed and refined to ensure a consistent approach.
3. The City has internal processes to ensure that a business case is approved by the Executive Leadership Team before consultancy services are engaged to ensure line of sight to conducting business across the organisation, sharing and reallocating resources for projects if available, considering financial impacts and embedding and sharing innovative solutions gained from external providers across the organisation.
4. External consultants are engaged by the City in line with the Council approved budget and by Officers under their financial delegation delegated by the Chief Executive Officer pursuant to section 64 of the *Local Government Act 1993 (Tas)*.
5. All procurements are undertaken in accordance Council's Local Preference Procurement Policy, which seeks to maximise the use of local businesses to supply goods, services and works to the City thereby encouraging local employment opportunities and generating economic growth.
6. Quotations for goods, services or works with a Contract value less than \$100,000 are sought from local business in line with the City's procurement thresholds where local capability and capacity exists.
7. Where a weighted evaluation criteria is used in the evaluation of procurements with a contract value less than \$100,000, a minimum evaluation weighting of 10% is assigned for local business.
8. For procurements over \$100,000, including public tenders, a local evaluation criterion with a minimum weighting of 10% is applied to all offers received where the offer is able to demonstrate social and economic benefits.
9. It is noted that in its day-to-day operations the City procures goods, services and works from suppliers outside of the local area where they

cannot be supplied or performed by local business or where to do so would not achieve value for money for the City of Hobart.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar: Pillar 8 – Governance & Civic Involvement

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

Strategy: 8.1.1 – Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.

#### Legislation and Policy

Legislation: *Local Government Act 1993*

Policy: Local Preference Procurement Policy

### Financial Implications

1. No financial implications are identified.

**24. Legal Advice - Non-Disclosure Agreements**  
**File Ref: F23/123245**

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Councillor Elliot

**Motion**

“That the Council require:

1. a relevant policy to be developed (or updated) that governs the Council’s use of Non-Disclosure Agreements, with the policy returned to Council for approval, and
2. that the Legal Expenses section of the Elected Member Development and Support Policy to be updated to facilitate Elected Members being able to access Council-funded independent legal advice when they are requested by the Council to be party to a Non-Disclosure Agreement.”

**Rationale**

“Situations can arise where an Elected Member is asked to sign a Non-Disclosure Agreement in a range of situations, such as in order access information or as part of closing a bullying complaint. The Council should have a clear policy on this situation to ensure considered, fair and consistent treatment of all Elected Members.

The Council’s policy on use of Non-Disclosure Agreements should be set by Council, especially given the possibility of them being overused/abused and the associated risks to governance and accountability.

Concerns have been raised by various parties, including the Australian Human Rights Commission (AHRC), with the AHRC stating that “...confidentiality agreements can silence and isolate the people impacted and can also allow bad behaviour to continue....” and that “...once an investigation is completed, the complainant’s ability to speak should not be restricted.”

The AHRC also states that “.... the Commission considers that non-disclosure agreements should not be made a condition of settlement of complaints. NDAs have been criticised as ‘covering up’ or ‘shutting down’ issues while protecting respondents.....this should be optional for the complainant, rather than a blanket condition of settlement.”

See the AHRC’s report here <https://humanrights.gov.au/set-standard-2021>”

## Administration Response to Notice of Motion

### Discussion

1. Council does rely upon NDA's on rare occasions for the purpose protecting it's commercial interests, an investigation or to adhere to privacy requirements.
2. The Local Government Act provides for their use in relation to councillors under Section 28(c) providing a confidentiality undertaking to the general manager in relation to the provision of information relevant to their role as councillor.
3. Section 338A could also give grounds for Council to require a councillor to sign a NDA as a mechanism to ensure that confidentiality is maintained. It's noted that 338A also creates an offence for an unauthorised disclosure of confidential material, which would logically extend to matters contained within an NDA, distinct to a breach of the NDA itself which may expose an individual to an additional civil sanction.
4. The use of NDA's in relation to councillors only occurs on rare occasions and in practice only occurs following Council having taken legal advice.
5. It would be contrary to the purpose of an NDA to provide a running update to Council as to the existence of individual agreements, noting that under the Act it's also a decision for the CEO, not Council.
6. Reimbursement for independent legal advice is not precluded under the existing policy.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar: Pillar 8 – Governance & Civic Involvement

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

Strategy: 8.1.1 – Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.

#### Legislation and Policy

Legislation:

*Local Government Act 1993*

Policy:

NA

### Financial Implications

1. No financial implications have been identified.



**25. Questions Taken on Notice**  
**File Ref: F23/122700**

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Alderman Bloomfield

**Motion**

“That all answers supplied to questions ‘taken on notice’ during debate at monthly Council meetings are to be supplied as follows:

To be included as an addendum in following Council meeting agenda with a cross reference to the motion/discussion it was attributed to UNLESS:

- a) The time required to supply the answer will be longer than the 4 weeks - then an acknowledgement of such with an expected timeframe for the answer be included in the addendum.
- b) The information is not considered to be in the best interest of the Council - such as commercial in confidence, in which case it will be noted as such and answered in a similar addendum in the closed agenda of the meeting.
- c) The elected member asking the question has agreed in writing that they feel that the answer is no longer required or relevant for public discourse and the requirement to source the answer is removed.

**Rationale:**

Elected members are expected to perform due diligence on materials supplied prior to making decisions - as the consequences pertain to an entire city and can be enormous.

Due diligence involves not just reading and researching prior to the meeting at hand but is maintained with the right to ask questions in the Chamber at the time of debate.

It is in fact expected that questions may well be asked and as a result relevant experts, directors and managers are made available on the night for this very purpose. The answers they may supply to the room can sway discourse and ensure a stronger governance.

I have noted that on an increasing number of occasions that many relevant questions asked are now 'taken on notice' - but I am not seeing a regulatory system in place to ensure that they are in fact answered in some occasions at all.

More to the point - the meeting is public, the question asked is public - and thus so too should the answer be made public with the provisos mentioned above.

This is a move to being more transparent, accountable and more importantly still - an application of good governance for the city.”

## Administration Response to Notice of Motion

### Discussion

1. At times, during debate of Council Agenda items, questions are raised by elected members that are ‘taken on notice’. This occurs when the Director doesn’t know the answer to the question, is not confident in the accuracy of the answer or cannot answer the question in full.
2. Where the Director feels the questions remains relevant following a decision being made by the Council on the particular matter the question related to, responses to questions taken on notice are reported back to the Council via information in the weekly Elected Member Bulletin.
3. Elected members with specific questions relating to agenda items, are encouraged to contact the relevant Director ahead of the meeting with their questions. Monday afternoons ahead of the Council meeting has been specifically set aside for this purpose however Directors are available any time prior to meetings to take questions.
4. Officers note that best practice is for a timely response to be published on the Hub and that the response could also be captured in the relevant meeting minutes and tabled at the next meeting. It should be noted, questions taken on notice during the designated agenda item ‘Questions Without Notice’ are captured in the minutes of the meeting and reported back to the Council on a future agenda.
5. Should the motion be adopted, officers will consider how best to achieve the desired outcome and will provide further advice in due course.
6. The Council, through a procedural motion, has the power to defer an item for additional information if they feel it is significant enough in nature.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar: Pillar 8 – Governance & Civic Involvement

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

Strategy: 8.1.1 – Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.

Legislation and Policy

Legislation: *Local Government (Meeting Procedures) Regulations 2015*

Policy: Meeting: Procedures and Guidelines

Financial Implications

1. There would be an additional administrative cost to implementing the proposed process.

**26. Working With Vulnerable People Card**  
**File Ref: F23/122752**

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Alderman Bloomfield

**Motion**

“That a report be provided that examines the establishment of policy supporting elected members of the Hobart City Council each personally undergoing a current police history check and applying for and holding a Working With Vulnerable People Card for the duration of their term in office.”

**Rationale:**

“As leaders in the community, elected members work regularly with children and vulnerable people, and need to hold themselves accountable to the public. Hobart City Council should lead the way in raising the expected standards for all Councils in Tasmania.

As elected members its vital that we continue to demonstrate our calibre for office by using all available processes.

For any position of responsibility it is deemed normal and ordinary to require an individual to provide evidence of prior good behaviour and these two basic background checks are generally considered the standard to be applied.

In both State and Federal Government these are required, so why not Local Government?”

**Administration Response to Notice of Motion**

**Discussion**

Working with Vulnerable People (WWVP) check is a crucial legal check to help reduce crime, sexual offences, improper behaviours, and harm to the vulnerable members of our community.

The WWVP registration is an ongoing assessment of a person’s eligibility to work with vulnerable persons and involves a check of a person’s national criminal history and other disciplinary and police information.

Working with children in Tasmania is regulated under the Vulnerable People Registrations 2014 and primarily relates to child related work. Any person whose role includes frequent contact with children will need to apply for a WWVP check.

Regulated activities which mandate working with vulnerable people checks includes workers engaged in the following services:

- Child accommodation services

- Child education services
- Child protection services
- Childcare services
- Coaching and tuition
- Commercial services for children
- Counselling and support services for children
- Community services
- Disability services
- Justice facilities for children
- Religious organisations
- Respite care services
- Services for homeless people
- Victims of crime
- Emergency services personnel
- Clubs, associations and movements
- Housing and accommodation
- Justice facilities
- Mental health
- Migrants, refugees and asylum seekers
- NNDIS related activity
- Prevention of crime
- Services for addictions
- Transport (eg; taxi drivers)
- Vocational and educational training

At first glance, Local Government may not appear to be an environment where there is a high risk of children and vulnerable people being exposed to exploitation or abuse. However, Councils are increasingly engaged in activities which employees, volunteers, contractors, consultants and elected members (deemed as 'workers' under the WHS Act) may work with or around children and vulnerable people. Whether a worker requires a WWVP check must be considered on a case-by-case basis and considered for all persons who interact with Council and its stakeholders.

The City has for some years, had in place a process for employees, prospective employees and volunteers to undertake a WWVP check where it is considered appropriate following a risk assessment of the role. Contractors and consultants are required to show evidence of a WWVP check where

appropriate. The WWVP is administered and monitored by the People and Culture team through the job design, talent acquisition and induction processes.

With the passing of recent legislation as a result of the Royal Commission into Institutional Responses to Child Sexual Abuse, the new Child and Youth Safe Organisations Framework will come into force in early 2024. The People and Culture team are currently in the process of establishing a framework in line with the Child and Youth Safe Standards and the Reporting Conduct Scheme.

This framework will set out clear expectations in terms of prioritising and promoting the safety and wellbeing of children and young people, how the City will respond when there are concerns about a worker's behaviour towards children and young people and a national reporting process. The People and Culture team will review current practises in relation to WWVP checks as part of the implementation of the new framework.

There is presently no legislative power for Council to require elected members to undertake WWVP or police checks. Absent of a legislative framework it is not advisable to implement a policy over elected members that we presently lack the power to enforce. It's understood that a comprehensive legislative response is in train and it would be advisable to wait until that process is concluded.

Given the above, should the motion be adopted a report will be provided for further consideration. The report would likely consider that any elected members who have regular contact with children and vulnerable people have a risk assessment undertaken and where appropriate, obtain a WWVP check, but notes we currently lack the power to enforce. The risk assessment can be undertaken by the City's People and Culture team or alternatively, by an external consultant.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar:	Pillar 2 – Community Inclusion, Participation and Belonging
Outcome:	2.4 - Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.
Strategy:	2.4.2 Ensure that Hobart is a safe and liveable city by enhancing community wellbeing and public safety and security

#### Legislation and Policy

Legislation:	Child and Youth Safe Organisations Framework
Policy:	NA

## Financial Implications

1. There is currently no budget allocation for the costs associated with elected members undertaking a risk assessment or for elected members to be reimbursed for the costs associated with obtaining a WWVP check.

**27. Ceasefire**  
**File Ref: F23/122689**

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Councillors Dutta, Harvey, and Sherlock

**Motion**

“That

1. The Council joins the Federal government in condemning the abhorrent acts committed by Hamas, specifically the intentional and widespread killing and abduction of innocent Israeli civilians, including vulnerable individuals such as older persons and children;
2. The Council Condemns Israel’s indiscriminate and disproportionate military attacks against the Palestinian people of Gaza, comprising over 2.3 million people, nearly half of whom are children;
3. The Council affirms its commitment to fundamental human rights principles and international conventions that condemn hostage-taking and emphatically calls for the immediate and unconditional release of the Israeli hostages by Hamas.

AND

4. The Lord Mayor write to the Prime Minister, Hon. Anthony Albanese, to call on the Australian Government to uphold international law by:
  - a. Seeking to leverage its influence to broker a ceasefire in Gaza and the West Bank, and urgently working towards ensuring the sufficient delivery of humanitarian aid, including food, fuel, and medicine to Gaza. Additionally, advocating for the unconditional restoration of water and electricity;
  - b. Acknowledging concerns regarding the disproportionate use of force by the Israeli government against Palestine. It urges the Australian Prime Minister to use diplomatic channels to encourage both parties to prioritize a ceasefire, fostering an environment conducive to dialogue and peaceful coexistence;
  - c. Urging for a ceasefire, we contribute to the global effort to prevent further loss of life and promote a diplomatic resolution to the longstanding conflict.”

**Rationale:**

“ A number of our community members have spoken to us to bring a ceasefire motion to council and also condemn, both, Hamas and Israel regarding the current war.

We believe that under the provisions of section 28 of the Local Government



Act we are entitled to bring this motion to council for consideration and debate.

## SECTION 28: FUNCTIONS OF COUNCILLORS

1. A councillor, in the capacity of an individual councillor, has the following functions:
  - a. to represent the community;
  - b. to act in the best interests of the community;
  - c. to facilitate communication by the council with the community;
  - d. to participate in the activities of the council;
  - e. to undertake duties and responsibilities as authorised by the council

It can be argued that under (1)(a) we as an elected member/s can represent the community in such matters. Advocating for a ceasefire between Israel and Palestine could be strengthened by our representation of the community. Engaging in community dialogue and actively participating in council activities align with addressing concerns expressed by community members. Nonetheless, it's imperative to verify that any actions taken adhere to the authority outlined in the Local Government Act.

The question is: Whether advocating for a ceasefire motion between Israel and Palestine aligns with our functions as a councillor. Facilitating communication with the community and addressing concerns brought to us, in our capacity as a councillor/s, we believe it is sustainable to support our involvement.

Furthermore, a community typically refers to a group of people who share common characteristics, interests, or living arrangements within a specific geographic area. It can encompass various social, cultural, economic, or demographic elements that bind individuals together. Communities can range from local neighbourhoods and towns to larger groups with shared affiliations or identities. The concept of a community is broad and can be defined based on factors such as geography, culture, shared goals, or mutual interests and concerns. It is our opinion that we are representing our "community" in this crucial matter as advocates, as leaders of the city of Hobart, to urge the Federal Government to consider this motion seriously.

## ESCALATING HUMANITARIAN DISASTER IN PALESTINE

The situation in Palestine is deeply concerning, with over 11,000 people killed, close to 5000 have been under the age of 18, thousands of casualties and widespread deprivation of basic necessities like food, water, medicine, medical treatment, and electricity. The plight of innocent women, children, and men highlights the urgent need for humanitarian assistance and a sustainable resolution to the conflict is required urgently.

There are additional reasons as to why a ceasefire is called for:

**Displacement:** There are thousands of Palestinians who have been displaced from their homes, leading to a significant refugee crisis;

**Infrastructure Damage:** Ongoing conflicts have resulted in extensive damage to infrastructure, hindering access to essential services;

**Educational Impact:** The conflict has disrupted education, limiting opportunities for children and young people;

**Psychosocial Impact:** Prolonged exposure to violence and insecurity has had severe psychological effects on the population, especially children and women;

**Humanitarian Aid:** The importance of international humanitarian aid to alleviate suffering and support the affected population have been restricted. Challenges faced by humanitarian organizations in delivering aid and conducting assistance have been hampered;

**Long-Term Stability:** That a ceasefire is a crucial step toward creating an environment conducive to diplomatic negotiations. Ending hostilities can pave the way for dialogue and sustainable peace;

**Regional Stability:** That the conflict has the potential to destabilize the entire region, affecting neighbouring countries and creating a broader security risk;

**Human Rights Violations:** Documentation of alleged human rights violations during the conflict, such as displacement of civilians, attacks on civilian targets, and the use of tactics that may be considered in violation of international humanitarian law.

## CALLS FOR CEASEFIRE

UN Secretary-General António Guterres described Gaza as a “graveyard for children- more children have been killed in this conflict than in all conflicts put together in any single year since 2019 – we can’t stand by and let this continue, however hard it might be to end it.”[1]

GENEVA (12 October 2023) UN independent experts unequivocally condemned targeted and deadly violence directed at civilians in Israel and violent and indiscriminate attacks against Palestinian civilians in Gaza and a further tightening of the unlawful blockade, which will have devastating impacts on the whole civilian population. "This amounts to collective punishment," the UN experts said.[2]

**Human Rights Organizations:** Amnesty International, Human Rights Watch, and the International Committee of the Red Cross have voiced their opinions and calls to ceasefire.

"Amnesty International is issuing an urgent call for an immediate ceasefire by all parties in the occupied Gaza Strip and Israel to prevent further loss of civilian lives and to ensure access to life-saving aid for people in Gaza amidst an unprecedented humanitarian catastrophe"[3]

"Serious violations of international humanitarian law, including war crimes, by all parties to the conflict continue unabated. In the face of such unprecedented devastation and suffering, humanity must prevail," said Agnès Callamard Amnesty International's Secretary General.[4]

Visiting the White House two weeks ago, Indonesian President Joko Widodo said, a "ceasefire is a must for the sake of humanity." [5]

France President, Emmanuel Macron, stated that "ceasefire is only solution for Israel".[6]

Jewish peace activists and their allies demanding US support for an Israel ceasefire in Chicago. Anthony Vazquez/Chicago Sun-Times/AP[7]

Eglantyne Jebb, who founded Save the Children over 100 years ago, said "humanity owes the child the best it has to give.

"We run humanitarian response operations in some of the toughest places in the world, and we know it's not possible to do that effectively in four hours – or even four weeks – let alone in Gaza which is the deadliest place in the world to be an aid worker, with over 100 tragically killed to date. This is why we're calling for a ceasefire, it's not because we're naïve but because we're experts"[8]

More than 1000 Australian legal practitioners and legal academics in Australia have written to Hon. Anthony Albanese, Prime Minister, urging him to influence other international leaders to secure a ceasefire immediately. [9]

Advocating for a ceasefire in the Palestinian conflict by urging the Australian government aligns with the tenets of international law, encompassing United Nations resolutions and humanitarian conventions.

These are valid reasons to support a case for immediate ceasefire in the Israeli-Palestinian conflict.

[1] <https://www.savethechildren.org.uk/blogs/2023/no-solution-other-than-a-ceasefire#:~:text=UN%20Secretary%2DGeneral%20Ant%C3%B3nio%20Guterres,might%20be%20to%20end%20it.>

[2] <https://www.reuters.com/world/un-experts-say-israels-strikes-gaza-amount-collective-punishment-2023-10-12/>

[3] <https://www.amnesty.org.uk/press-releases/israelopt-paris-humanitarian->

conference-must-call-immediate-gaza-  
ceasefire#:~:text=On%2026%20October%2C%20Amnesty%20issued,amidst  
%20the%20unprecedented%20humanitarian%20catastrophe.

[4] <https://www.amnesty.org/en/petition/demand-a-ceasefire-by-all-parties-to-end-civilian-suffering/>

[5] <https://www.france24.com/en/live-news/20231113-israel-hamas-war-to-cloud-biden-talks-with-indonesia-president>

[6] <https://foreignpolicy.com/2023/11/17/macron-israel-hamas-war-france-cease-fire/#:~:text=%E2%80%9CThis%20is%20the%20only%20solution,%5Bbeing%5D%20bombed%20and%20killed.>

[7] [https://apnews.com/article/israelhamas-war-gaza-protest-jewish-359e92cfde9444c1a59b0635543853a6#:~:text=CHICAGO%20\(AP\)%20%E2%80%94%20Hundreds%20of,battles%20rage%20in%20northern%20Gaza.](https://apnews.com/article/israelhamas-war-gaza-protest-jewish-359e92cfde9444c1a59b0635543853a6#:~:text=CHICAGO%20(AP)%20%E2%80%94%20Hundreds%20of,battles%20rage%20in%20northern%20Gaza.)

[8] <https://www.savethechildren.org.uk/blogs/2023/no-solution-other-than-a-ceasefire>

[9] <https://lawyersletter.au/>

## Administration Response to Notice of Motion

### Discussion

1. Two of the stated aims of the City's International Relations Policy are to, 'Show our support for policy positions that align to the national interest,' and 'Be an advocate for international peace and goodwill.'
2. The Australian Government's current position on the Israel-Gaza crisis is that:  
  
Australia does not recognise a Palestinian state. Australia is committed to a two-state solution in which Israel and a future Palestinian state coexist, in peace and security, within internationally recognised borders.
3. The City of Hobart has previously taken positions on issues in relation to human rights including, but not limited to, marriage equality and the recent Voice referendum.
4. Frameworks and policies that have been adopted by the City of Hobart that are informed by the Universal Declaration of Human Rights include the Hobart: A CITY FOR ALL, Community Inclusion and Equity Framework as well as the City's Social Inclusion Policy.
5. There is nothing to preclude the Council from adopting the proposed motion however Officers advise against any action that could be construed as support for a party to the Gaza conflict as it risks stoking community

division and could also expose Elected Members and staff to abuse.  
Calling for a ceasefire would be an appropriately neutral response.

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: 8 – Governance and civic involvement

We are a city of ethics and integrity. We govern with transparency and accountability, encouraging and welcoming active civic involvement. We collaborate for the collective good, working together to create a successful Hobart.

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

Strategy: 8.1.2 – Ensure the needs of the community are well represented through effective advocacy and strong collaborative partnerships with key stakeholders and all levels of government.

### Legislation and Policy

Legislation N/A

:

Policy: International Relations Policy

<https://www.hobartcity.com.au/files/assets/public/v/2/council-meetings-aldermen/policies/policies-current/corporate-governance/international-relations-policy.pdf>

## Financial Implications

1. There are no financial implications arising from this Notice of Motion.

**28. RESPONSES TO QUESTIONS WITHOUT NOTICE**  
**File Ref: F23/123378**

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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.

**28.1 Cost of Crowther Statue Project**

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Memorandum of the Acting Chief Executive Officer 14 November 2023.

**28.2 Cost of Crowther Statue Removal**

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Memorandum of the Acting Chief Executive Officer 22 November 2023.




**28.3 Shift in Short Stay Visitor Accommodation**

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Memorandum of the Director City Enablers 13 November 2023.

***Recommendation:***

***That the information be received and noted.***

- Attachment A: Cost of Crowther Statue Project (Supporting information) 
- Attachment B: Cost of Crowther Statue Removal (Supporting information) 
- Attachment C: Shift in Short Stay Visitor Accommodation (Supporting information) 

**29. QUESTIONS WITHOUT NOTICE**  
**File Ref: F23/123381**

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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.*

### **30. CLOSED PORTION OF THE MEETING**

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#### **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:

- commercial information likely to confer an advantage if disclosed on a person with whom the council is conducting business;
- commercial information of a confidential nature that, if disclosed, is likely to prejudice the commercial position of the person who supplied it
- contracts and their terms, conditions, approval and renewal;
- the security of the council, councillors and council staff; and the property of the council;
- proposals for the council to disposal of land;
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- leave of absence;
- matters relating to 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  | Risk and Audit Panel - Strategic Asset Management Plan<br>LG(MP)R 15(2)(f)                  |
| Item No. 7  | 2023-24 Supplementary Rates - Variation Objections<br>LG(MP)R 15(2)(g) and (j)              |
| Item No. 8  | Events Sponsorship 2023/2024<br>LG(MP)R 15(2)(b)  |
| Item No. 9  | Request to fly Palestinian Flag at Town Hall<br>LG(MP)R 15(2)e(i) and e(ii)                 |
| Item No. 10 | 2 Faraday Street, West Hobart - Potential Disposal<br>LG(MP)R 15(2)(f)                      |
| Item No. 11 | 5 Morrison Street, Hobart - Lease Negotiations<br>LG(MP)R 15(2)(c)(i), (d) and (i)          |
| Item No. 12 | Part of 57-63 Macquarie Street, Hobart - Expression of Interest<br>LG(MP)R 15(2)(d) and (f) |
| Item No. 13 | RESPONSES TO QUESTIONS WITHOUT NOTICE<br>LG(MP)R 15(2)(i)                                   |
| Item No. 14 | QUESTIONS WITHOUT NOTICE<br>LG(MP)R 15(2)(g)  |