



CITY OF HOBART

# AGENDA

OPEN PORTION OF THE COUNCIL MEETING  
MONDAY, 19 FEBRUARY 2024  
AT 5:00 PM



## THE MISSION

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

### OUR VALUES

THE COUNCIL IS:

#### PEOPLE

We care about people – our community, customers and colleagues

#### TEAMWORK

We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.

#### FOCUS AND DIRECTION

We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.

#### CREATIVITY AND INNOVATION

We embrace new approaches and continuously improve to achieve better outcomes for our community.

#### ACCOUNTABILITY

We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

### VISION

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

Hobart breathes.

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

We are brave and caring.

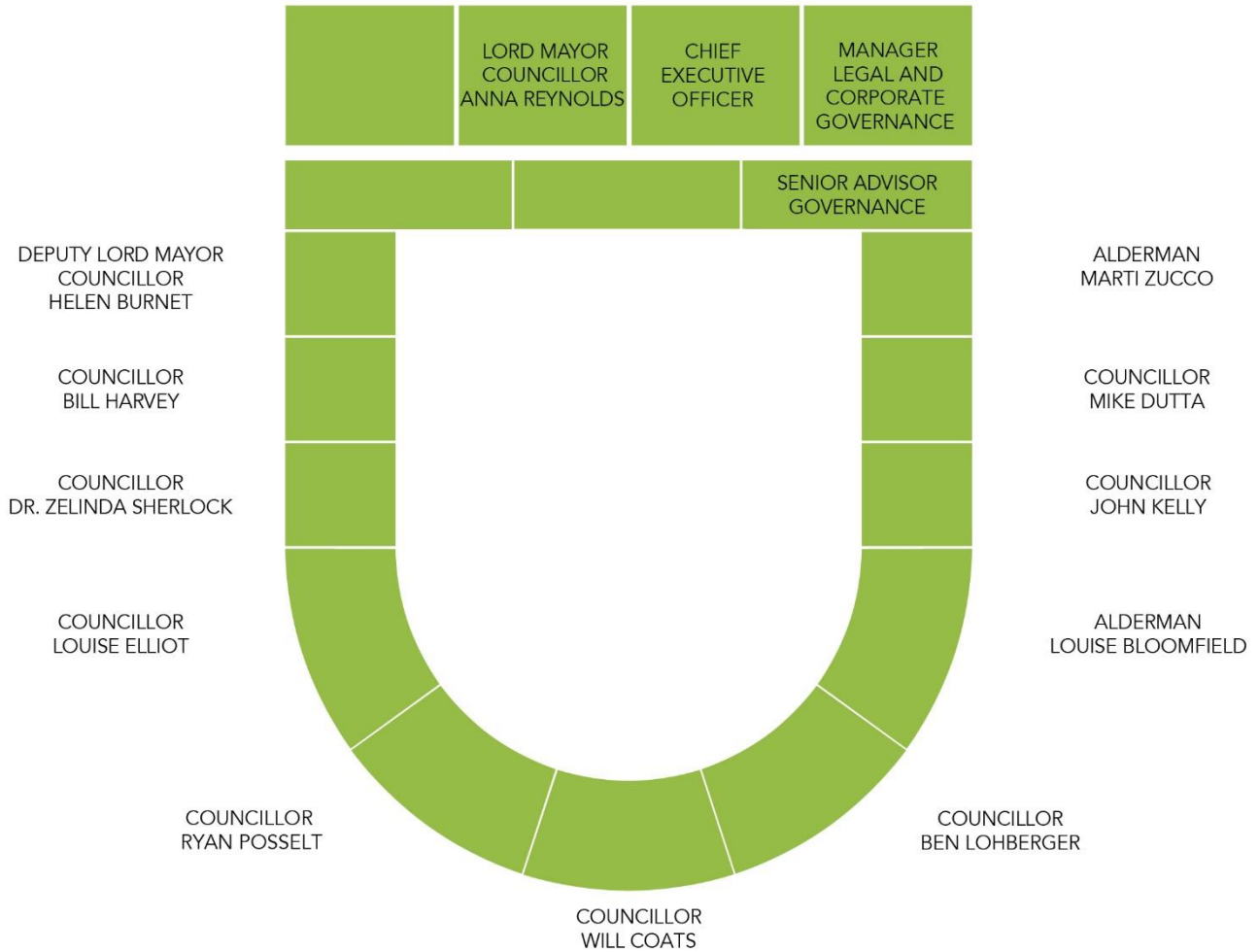
We resist mediocrity and sameness.

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

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



City of **HOBART**



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## ORDER OF BUSINESS

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**A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE  
COUNCIL CHAMBER, TOWN HALL ON MONDAY, 19 FEBRUARY 2024 AT  
5:00 PM.**

**Michael Stretton  
Chief Executive Officer**

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

**ELECTED MEMBERS:**

Lord Mayor A M Reynolds  
Deputy Lord Mayor 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:**

Alderman L A Bloomfield

**1. ACKNOWLEDGEMENT OF COUNTRY**

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**2. CONFIRMATION OF MINUTES**

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The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 29 January 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

**3. TRANSFER OF AGENDA ITEMS**

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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 CHAIRPERSON**

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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: Tuesday, 13 February 2024  
Purpose: 2024-25 Budget Development | 23-24 Capital Projects Mid-Year Program Update

### **Attendance:**

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

## **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 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. Response to Petition - Rwandan Tutsi Memorial File Ref: F24/4911**

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Report of the Program Lead Creative City - Arts and Culture Program, the Acting Manager Creative City and the Director Connected City of 14 February 2024 and attachments.

Delegation: Council



**REPORT TITLE:                   RESPONSE TO PETITION - RWANDAN TUTSI  
MEMORIAL****REPORT PROVIDED BY:** Program Lead Creative City - Arts and Culture Program  
Acting Manager Creative City  
Director Connected City**1.     Report Summary**

- 1.1.   A petition to establish a Rwandan Tutsi Genocide Memorial acknowledging the tragic events in Africa in 1994 was presented to Council in August 2022 (Attachment C). Council resolved unanimously that the petition be noted and referred to the appropriate committee.
- 1.2.   Given the committee structure was abolished in November 2022, this matter is provided directly to Council for consideration.
- 1.3.   The purpose of this report is for Council to formally consider a response to the petition, noting information previously provided directly to representatives of the Rwandan Australian Friendship Association Inc (RAFA).

**Key Issues**

- 1.4.   The RAFA first approached the City in March 2021 to discuss the potential for a large scale memorial funded by others, to be constructed on suitable council land to be given in-kind. RAFA provided the sketch of the memorial (as provided at Attachment A).
  - 1.4.1.   The community was advised at that time that the proposal did not meet the criteria in relation to memorials available at the time under the *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy* (Attachment B)
- 1.5.   The petition (Attachment C) was presented to Council on 15 August 2022. Following this, City officers met with the proponents on two further occasions.
  - 1.5.1.   The community was advised that the proposal in the petition did not meet the criteria in the current relevant Council policy.
  - 1.5.2.   The community was also advised that a review of the policy was planned.
  - 1.5.3.   Discussion between City officers and the proponents included alternative options to a large-scale memorial.
- 1.6.   Work on the new *Memorials Policy* has progressed and is scheduled to be presented to an Elected Member workshop and council meeting in June 2024.

1.7. The proposed *Memorials Policy* is intended to replace the existing *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy*, (Attachment B).

1.7.1. Once the new *Memorials Policy* is finalised and endorsed, replacing the existing Council policy, *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy*, RAFA may wish to review and resubmit their proposal once the proposed *Memorials Policy* has been endorsed by Council.

## 2. Recommendation

**That:**

1. ***The Council refuse the request for in-kind contribution in the form of land as the memorial does not align with the City's existing policy titled 'Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy'.***
2. ***The Council request officers to contact representatives of RAFA to meet and discuss potential alternative ways to commemorate the Rwandan Tutsi Genocide.***
3. ***The petitioners be formally advised of the outcome of the Council decision.***

## 3. Background

3.1. A petition to establish a Rwandan Tutsi Genocide Memorial was presented to Council on Monday 15 August 2022 with 50 signatories.

3.2. The action sought by the petitioners was that the Council;

*'...supports the establishment of a Memorial to the Rwandan Tutsi Genocide. The memorial would be an Australian first and also be a place to educate the community on themes of peace and anti-racism.*

*The proposed memorial design is a modest size, encompasses accessible public seating and will make a meaningful contribution to a Hobart public space.*

*The project would seek external funding and so the request to the Council is an in-kind contribution in the form of a small parcel of suitable land'.*

3.3. The Rwandan community requests a site to build the memorial, in order to help their community (and other communities with similar past

experience) in their journey of healing. The original sketch of the proposal is attached (refer Attachment A), as is the petition (Attachment C).

- 3.4. City officers met with representatives of the RAFA in April 2021, May 2022 and March 2023 to discuss the proposal and provide advice in relation to the requirements of the existing Council policy, *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy* (Attachment B).
- 3.5. Community members were advised in March 2023 that a new *Memorials Policy* was in development and that it would consider contemporary approaches to memorialising both events and individuals with due consideration to relevance to Hobart and the desired use of its Parks and the public domain.
- 3.6. The new *Memorials Policy* is intended to be a single reference point establishing a clear framework for all requests relating to physical and permanent objects described as memorials, both prospective and existing situated on land owned or managed by the City of Hobart.
  - 3.6.1. RAFA may wish to review and resubmit their proposal once the proposed *Memorials Policy* has been endorsed by Council.

#### 4. Discussion

- 4.1. The City's existing policy, *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy*, enables the community to commemorate "historically important national or state events, or people who have made a significant contribution to the social, political and cultural life of Hobart subject to the approval of the Parks and Recreation Committee."
- 4.2. As the petition does not align to the existing policy, this report recommends that Council does not support the provision of land to establish the memorial. The relevant policy clauses are summarised below.
  - 4.2.1. *The form of the memorial, which is for either a tree or piece of furniture, with a plaque.*
  - 4.2.2. *The commemoration of historically important national or state events, or people who have made a significant contribution to the social, political and cultural life of Hobart.*
- 4.3. The petition proposes for land to be given in-kind to support the memorial. The City has given general guidance to the petitioners previously noting that their proposal did not align with Council's policy. When any proposals are made requiring the use of Council-owned land, the process includes the following land-use planning approvals:

- 4.3.1. A formal submission seeking “general manager consent”, which the City of Hobart CEO would consider and respond to.
- 4.3.2. If consent was to be granted, the proponents would then be required to lodge a planning application to further progress the proposal.
- 4.3.3. Depending upon the proposed location, the application would be publicly advertised allowing the public to provide comment on the proposal.

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

- 5.1. The assessment of the proposal, and recommendations of this report, relate to the *Hobart: A Community Vision For Our Island Capital* as per the below outcomes
  - 3.3.1 We create opportunities to explore diversity: ways for people to bring and share their own identities and receive the same in return.
  - 3.3.2 We use arts and events to explore our histories and identities and tell our stories

## 6. Capital City Strategic Plan

- 6.1. The assessment of the proposal, and recommendations of this report, relate to the *Capital City Strategic Plan* as per the below:
  - 1.2.1 Celebrate and highlight the distinctiveness of Hobart’s character, and historical and cultural heritage.
  - 1.2.2 Ensure City place-making planning and initiatives embody civic pride by reflecting community values and character of local neighbourhoods.
  - 3.2.4 Support arts and events as a means of story sharing and sparking conversations about ideas, histories and diverse cultures.
  - 3.1.1 Support Hobart’s continued evolution as a creative and culturally engaging capital city, with a focus on community, accessibility and creative potential.

## 7. Regional, State and National Plans and Policies

- 7.1. The assessment of the proposal has been undertaken with regard to the City’s current policy, *Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves Policy*. However, it is noted that Council seeks to develop a simple and clear policy similar to other Capital Cities in Australia which clarifies the process and criteria for assessing the important and often personal

requests from the community to recognise or commemorate significant people, groups, places and events that are of local importance.

## 8. Financial Viability

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

8.1.1. There are no financial implications in considering the petition other than City officer time already spent on the matter.

8.1.2. The petition sought that land be provided in-kind for the memorial with external funding for the memorial itself. At a minimum there would be ongoing asset management associated with the maintenance of any such memorial, which the City does not presently have funding for.

## 9. Collaboration

9.1. Following receipt of the petition, City officers met twice with the proponents to discuss the proposal. This report recommends that the Program Leader Creative City engage with RAFA to continue the conversation around alternate ways the Rwandan Tutsi Genocide could be commemorated.

9.2. This report has been prepared in collaboration with the Acting Director City Life.

*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.*



Jane Castle  
**PROGRAM LEAD CREATIVE CITY -  
ARTS AND CULTURE PROGRAM**






Felicity Edwards  
**ACTING MANAGER CREATIVE CITY**



Jacqui Allen  
**DIRECTOR CONNECTED CITY**

Date: 14 February 2024

File Reference: F24/4911

- Attachment A: Rwandan Memorial Schematic Plans (Supporting information) 
- Attachment B: Donation of Park Furniture and Equipment, Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves (Supporting information) 
- Attachment C: Petition - Rwandan Tutsi Genocide - The Rwandan Australian Friendship Association (Supporting information) 

**11. Procurement - Quotation Exemption Report**  
**File Ref: F24/9895**

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Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 13 February 2024 and attachment.

Delegation: Council

**REPORT TITLE:                   PROCUREMENT - QUOTATION EXEMPTION REPORT**

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

**1.     Report Summary**

- 1.1.   The purpose of this report is to provide a listing of exemptions from the requirement to seek three written quotations granted for the period 1 October to 31 December 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 October to 31 December 2023.
- 2.4.   It is proposed that the Committee note the exemption from the requirement to seek three written quotes granted for the period 1 October to 31 December 2023.

**3.     Recommendation**

***That the Council note the exemption granted from the requirement to seek three written quotations for the period 1 October to 31 December 2023, marked as Attachment A to this report.***



#### 4. Background

- 4.1. At its meeting on 19 March 2018, the Council resolved inter alia that:
  - 4.1.1. *A report of exemptions granted from the requirement to seek 3 written quotes be presented to the Finance and Governance Committee as at 31 March, 30 June, 30 September and 31 December each year.*
- 4.2. A report outlining the quotation exemption from the requirement to seek three written quotes granted during the period 1 October to 31 December 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 October to 31 December 2023 there was one exemption 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. The 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 the Committee note the exemption granted from the requirement to seek three written quotes for the period 1 October to 31 December 2023.

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

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

## 7. Capital City Strategic Plan

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

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

7.2.1. 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 February 2024  
File Reference: F24/9895

Attachment A: Report - Quotation Exemption Granted (3 Quote) 1 October to 31 December 2023 (Supporting information) 

**12. South Hobart Oval Master Plan**  
**File Ref: F24/10307**

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Report of the Acting Manager Sport and Recreation and the Director City Futures of 13 February 2024 and attachment.

Delegation: Council

**REPORT TITLE: SOUTH HOBART OVAL MASTER PLAN****REPORT PROVIDED BY:** Acting Manager Sport and Recreation  
Director City Futures**1. Report Summary**

- 1.1. This report presents community engagement feedback on the recently completed draft South Hobart Oval Master Plan, and further seeks Council endorsement of the revised Plan to inform future planning for the site.
- 1.2. The Council previously considered the masterplan at its meeting of 17 July 2023 where the initial report was considered, with the Council resolving that:
  1. *The draft South Hobart Oval and Park Master Plan, marked as Attachment A to item 10 of the Open Planning Agenda of 17 July 2023, be endorsed for public exhibition for a period of four weeks.*
  2. *A further report be provided to the Council following community engagement.*
- 1.3. More than 700 submissions were received during the initial consultation and 132 surveys completed during the second stage. The feedback confirmed the views captured during stage one engagement, with this largely focussing on the community tensions associated with the use and management of the South Hobart Oval.

**2. Key Issues**

- 2.1. Key issues identified during the initial consultation stage include:
  - 2.1.1. Managing the mixed use of the facility, with a focus on the already understood tensions between off-lead dog exercise and high-level sport.
    - 2.1.1.1. These include opposing views from those that support the South Hobart Football Club use and proposals to upgrade the oval for topflight state-wide football competition, and similarly from those within the local community who use the oval for off-leash dog exercise.
    - 2.1.1.2. It is proposed that the City's Dog Management Policy 2019-2023 which is due for review, is the best framework through which to consider this issue.
  - 2.1.2. Ageing infrastructure at the sportsground including poor quality lighting, toilets and changerooms, with this restricting participation.

- 2.1.3. Connectivity within the facility and between the venues on the site is poor, with suggestions to improve pathways, gates and entrances for better connectivity.
  - 2.1.4. The playground was viewed as dated and not catering for older children, with a strong desire being expressed for nature play including water play.
  - 2.1.5. An opportunity to improve the courts was also noted with the desire for more flexibility with markings to allow for emerging sports such as pickleball, as well as improvements for users such as provision of water bubblers and seating.
- 2.2. A number of comments were received in regard to adding new facilities (e.g. play, barbecues, fitness equipment, additional courts, pump tracks etc) into the existing facility.
- 2.2.1. However, the venue has limited capacity to provide for these kinds of facilities, without compromising current open space or leading to a loss of existing vegetation.
- 2.3. There were also comments about the need for improvements to traffic, parking, retaining walls and intersections in proximity to the South Hobart Oval and park.
- 2.3.1. These matters are outside the scope of the Master Plan but are under officer investigation and/or could be addressed through future local area traffic management planning.
  - 2.3.2. As context, officers are currently seeking to undertake exploratory/propositional design work in FY24/25 with a view to uplift the retail activity hub in upper Macquarie Street. Subject to funding, it is hoped that this work will include consideration of the intersection of Darcey/Washington and Macquarie streets.
  - 2.3.3. This work could draw on the successes achieved around 358 Macquarie Street and the foundational work prepared for the South Hobart Retail Precinct.
- 2.4. Following community feedback, a revised Master Plan has been developed (refer Attachment A) that seeks to maximise usage and access of the precinct, and includes further initiatives and actions that response to specific community feedback, including:
- 2.4.1. The document now notes that Wide Angle Tasmania is no longer occupying the building at the oval, and that this building has the capacity to provide a venue for training, workshops, mentoring, the arts and creativity.
  - 2.4.2. There is a need to improve the security of fencing on the southwestern corner of the oval where children and dogs can enter and leave (safety risk with traffic).

- 2.4.3. There is an expressed need for night lighting to support training and night games for football.
  - 2.4.4. Conversely, there are community concerns around the possible impacts of night lighting on residential amenity.
  - 2.4.5. The enclosed map showing existing dog exercise areas has been extended to include all of Wellesley Park.
  - 2.4.6. Map 3.3 has been revised to indicate shade shelter over seating, upgrading basketball and netball poles and hoops.
- 2.5. Should the draft Master Plan be endorsed by the Council, a delivery plan will be developed, detailing the staging for delivery and to ensure any budget bids for operational expenditure (for design and planning) and capital expenditure (for delivery) are submitted in the appropriate financial years.
  - 2.6. Assessment and ongoing monitoring of potential grant funding opportunities to support implementation will also be progressed.

### **3. Recommendation**

***That that the draft South Hobart Oval Master Plan, marked as Attachment A to this report, be approved as a tool for guiding the future planning and development of the site.***

### **4. Background**

- 4.1. South Hobart Oval and Park is a recreational facility on City of Hobart land known as 42 Wentworth Street, South Hobart.
- 4.2. The property has three different functional areas, which include:
  - South Hobart Oval – the Oval has been used for football (soccer) since the early 1900's and is home to the South Hobart Football Club. The Oval is also used for a variety of recreational pursuits including dog exercise.
  - South Hobart Playground – includes playground equipment, a small children's cycle track, barbecue facilities as well as access to the South Hobart Community Hall.
  - Multi-use Courts – located behind the Community Hall currently provides a tennis court and a basketball court as well as a cricket practice net.

- 4.3. The property also provides public toilets facing Washington Street, and a building formally leased to Wide Angle Tasmania which has meeting and studio spaces. These facilities along with the Community Hall and sporting areas serve as a central gathering point to meet the diverse needs of the community.
- 4.4. Overall, the property is highly utilised for a wide range of different activities in a relatively confined space.
- 4.5. The City is currently completing master or management plans for each of its sporting facilities with plans already completed for Queenborough Oval, TCA Ground, New Town Sporting Precinct and the West Hobart Recreation Ground.
- 4.6. It was determined the South Hobart Oval was the next logical location requiring a masterplan due to several factors including:
  - Ageing infrastructure.
  - Small scale footprint.
  - Competing demands for use of the space.
  - Limited usable green space in the area.
- 4.7. The City engaged Inspiring Place to develop the Master Plan for the site which involved extensive engagement with targeted stakeholders, informal site observations, formal consultation sessions as well as inviting feedback on 'Your Say'.
- 4.8. Overall, the Plan received significant interest with nearly 700 submissions received.
- 4.9. The Plan was released for a four-week public exhibition period, including via the City's Your Say page. Feedback received has re-confirmed the proposals and community sentiments captured in the initial draft Master Plan.
- 4.10. Amendments have now been included in a revised Master Plan capturing the feedback received around oval lighting, additional disability access, fencing security, shade shelter and alternative dog walking provision/sites within the area.

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

- 5.1. The site is zoned Recreation (Section 18.0) under the Hobart Interim Planning Scheme 2015 and the upcoming Tasmanian Planning Scheme. The area is surrounded on three sides by Inner Residential land (Section 11.0), except for the area to the west of Washington Street that is General Residential (Section 10.0).



- 5.2. Access for dog exercise on the oval was introduced in 2003. The access permissions / restrictions for the site are directed by the City of Hobart Dog Management Policy 2019-2023 which is due for revision in 2023-24. The legislative basis for this municipal-wide policy arises from the *Dog Control Act 2000*.

## **6. Discussion**

- 6.1. The revised draft Master Plan was presented to an Elected Member Workshop on Monday 22 January 2024 by lead consultant, John Hepper of Inspiring Place.
- 6.2. The key issues noted at this Workshop included balancing user needs, replacing ageing and dated facilities, siting new buildings / facilities and connectivity. These issues are further explored below.

### **Managing mixed use – high level soccer and dog exercise**

- 6.3. Key stakeholder and “Your Say” feedback were dominated by the well-known tensions that exist between off-lead dog exercise and high-level soccer use of the South Hobart Oval.
- 6.4. The majority of people with an interest in soccer want dogs banned from the oval. People exercising dogs want to retain the current arrangement for off-lead access to the oval.
- 6.5. Given the need to progress the Master Plan, and the strength of feeling in both sides in this debate, the matter of dog access to the South Hobart Oval will be reviewed in the context of the pending statutory review of the City of Hobart Dog Management Policy 2019-2023, which will include consideration of the municipal-wide approach to off-lead dog exercise. The Dog Management policy review is not expected to identify any palatable solution that universally meet the needs of both groups of stakeholders on this issue.

### **South Hobart Football Club**

- 6.6. The oval is intensively used by the South Hobart Football Club. The Club competes in the National Premier League Tasmania and the Women’s Super League Competition. The Club is currently shortlisted for selection in the national second tier competition.
- 6.7. It is important to note that Master Plan does not seek to address the needs of a premier league venue, and it is understood that this need may be considered at a regional level.
- 6.8. As detailed in the Master Plan, whatever standard of play may occur at the venue, the facility needs to be uplifted to maximise multipurpose community use, to meet contemporary community and user expectations and safety and amenity.

- 6.8.1. Dog faeces not being picked up, dog urine killing playing turf, and the associated churn of the playing surface is constantly reported by the South Hobart Football Club and the City of Hobart oval maintenance crew.
- 6.8.2. The Club is also concerned about potential health risk to players, that the current level of dog access constrains the club's ability to host high level games and is incompatible with plans for improving the facilities.
- 6.9. Darcy Street is the only sporting oval hosting high level matches where any dog access is allowed in the Hobart municipality (and indeed Kingborough, Clarence or Glenorchy municipalities).

#### **Dog exercise (off-lead)**

- 6.10. Dogs have been permitted to use the South Hobart Oval since 2003 when the Council permitted dog exercise on the oval at times when sport is not being played.
- 6.11. The ground is one of the most popular off-lead exercise areas in Hobart, and dog owners want to maintain their current access.

#### **Sports ground facilities**

- 6.12. There is a strong desire for upgrade the sports ground facilities. This included better change rooms, referee rooms and toilets at the oval, particularly in the context of increasing female participation in soccer. The draft Plan also includes fixing drainage problems, improving lighting and storage, and lifting the standard of playing surface for state level competition.
- 6.13. The South Hobart Football Club received an Australian Government grant for \$1,000,000 in 2019 and \$500,000 from the Tasmanian Government in 2021 to develop facilities at South Hobart Oval.
- 6.14. The Club has also recently undertaken consultation with the community for a proposed building and they are now seeking landlord approval to submit a development application.
- 6.15. The Master Plan shows the location for a potential site for this new facility but does not prescribe any specific functionality for the building.

#### **Connectivity and access**

- 6.16. The difficulty in moving between the different parts of the site was highlighted as part of the engagement process. There were many comments about improvements to gates and entrances, improving pedestrian paths, all abilities access, and providing a better connection between the oval and the playground which have been incorporated into the Plan.

## Playground

- 6.17. The playground was viewed as dated and not catering to older children. There was a strong desire for nature play including water play. Despite a desire for more modern play equipment, the park and the Community Hall were seen as working well.

## The Park

- 6.18. There were some requests for improving the basketball court, including remarking the lines, installing a bin, water fountain and seating.
- 6.19. The cricket net is also seen to have limited use and there were suggestions about repurposing this space to facilitate basketball use.

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

- 7.1. Strategic alignment with the Community Vision is outlined in the draft Master Plan. The Master Plan aligns with Pillars 1, 2 and 6.

## 8. Capital City Strategic Plan

- 8.1. The Master Plan strongly aligns with the following elements of the City of Hobart Capital City Strategic Plan 2023:

6.1.1 Strengthen open space connectivity, prioritising links between the river, bushland and the mountain, through acquisitions and other opportunities.

6.1.2 Ensure the open space network across the City is planned for and managed to meet current and future population needs.

6.5.1 Manage outdoor spaces to accommodate the diverse outdoor recreational needs of the community.

6.5.3 Encourage opportunities to activate the City's open space network for events and activities.

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

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

7.3.6 Consider the needs of children and families in all infrastructure design.

- 8.2. The Council should be assured that where information is available, regional planning and considered in the plans. This has included the growth pattern for sport, with this informing the Master Plan.

- 8.3. All sporting facility developments need to consider the facility standards for the level of sport being played.
- 8.4. South Hobart Oval caters for competition up to a State level and facilities must reflect the specifications required by the State Sporting Associations to enable that level of sport to be played at the oval.
- 8.5. Universal design principles will be applied to cater to all users including the provision of unisex and accessible amenities, fit for purpose, multi and shared use, compatibility, public safety, health and safety and functionality are also considered alongside sporting code and guidelines.
- 8.6. As further context, the City of Hobart's Open Space Unit is undertaking the development of an Open Space Strategy. The Open Space Strategy will consider land owned or managed by the City of Hobart that is set aside primarily for leisure, active or passive recreation, nature conservation, other public enjoyment or gathering. This land includes beaches, bushland, public parks, and sportsgrounds. It is anticipated that background work to inform the Open Space Strategy will continue throughout the first half of 2024.

## **9. Financial Viability**

- 9.1. Funding Source and Impact on Current Year Operating Result
  - 9.1.1. While the draft Master Plan has not been subject to a detailed design stage, officers anticipate that the cost to implement the full plan will be in the order of \$6.2 million, broken down as follows:
    - Oval upgrade including lighting - \$2,000,000.
    - Sporting pavilion/community facility -\$2,000,000.
    - Connectivity and safety - \$500,000.
    - Playground equipment - \$200,000.
    - Playscape and shelters - \$200,000.
    - Court and multisport area - \$120,000.
  - 9.1.2. It is understood that \$1.5 million in external grants have been secured by the South Hobart Football Club.
  - 9.1.3. The remaining items (both asset renewal and new capital works) are not budgeted for at this stage.
- 9.2. Impact on Future Years' Financial Result

9.2.1. The comments above in point 10.1 also pertain to future financial years.

9.3. Asset Related Implications

9.3.1. The draft Master Plan provides a planning framework to prioritise and stage future works.

9.3.2. Allocations to replace or upgrade key assets will be subject to a competitive process as part of the City's Capital Works and Asset Renewal Program's.

**10. Sustainability Considerations**

10.1. The draft Master Plan will provide the opportunity to improve sustainability outcomes in terms of improved water and power use.

10.2. Plantings and other treatments will also take account of sustainability imperatives.

**11. Community Engagement**

11.1. The draft Master Plan has undergone an extensive community engagement process, with 132 surveys completed during the second stage following a four-week public exhibition period.

11.2. The community was also invited to participate in a survey using the City of Hobart Your Say Hobart community engagement portal to inform the preparation of a draft South Hobart Oval and Park Master Plan and received almost 700 submissions.

11.3. Key stakeholders were formally consulted, including informal site observations and discussions with users of the basketball court, tennis court, community hall, playground and oval.

11.4. The draft Master Plan was presented to the City's Healthy Hobart Portfolio Committee on 23 May 2023, and has been largely well received by the community and ground users.

11.5. Future and more targeted consultation may be required on specific masterplan projects during the detailed design stage.

**12. Collaboration**

12.1. The South Hobart Oval Master Plan has been developed in very close collaboration with all key stakeholders including relevant clubs and associations.

*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.*




Kellie Williams  
**ACTING MANAGER SPORT AND  
RECREATION**



Neil Noye  
**DIRECTOR CITY FUTURES**

Date: 13 February 2024  
File Reference: F24/10307

Attachment A: Draft South Hobart Oval and Park Master Plan (Supporting information) 

**13. New Town Sporting Precinct Master Plan – Design Concepts and Plans**  
**File Ref: F24/10320**

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Report of the Acting Manager Sport and Recreation and the Director City Futures of 13 February 2024 and attachments.

Delegation: Council

**REPORT TITLE: NEW TOWN SPORTING PRECINCT MASTER PLAN –  
DESIGN CONCEPTS AND PLANS****REPORT PROVIDED BY:** Acting Manager Sport and Recreation  
Director City Futures**1. Report Summary**

- 1.1. This report seeks Council endorsement of design concepts and associated plans to support the delivery of the New Town Sport Precinct Master Plan (the Master Plan).
- 1.2. The Council previously endorsed the Master Plan at its meeting held on 17 June 2019 where the initial report was considered, and where the Council resolved:
  1. *The New Town Sporting Precinct Master Plan, dated 29 May 2019 and marked at Attachment A to item 6.7 of the Open Parks and Recreation Committee agenda of 6 June 2019, be approved as a tool for guiding the future planning and development of the precinct.*
  2. *The following actions in the Implementation Plan be progressed:*
    - (i) *The City continue to monitor the potential for any future site options and the feasibility for relocating the New Town Croquet Club;*
    - (ii) *The City undertake a local area traffic management plan, including an initial assessment of the potential benefits or implications arising from implementation of the Master Plan;*
    - (iii) *Sporting clubs initiate feasibility assessments for the proposed new sports facilities within the precinct;*
    - (iv) *The City and the clubs seek funding support and grants to support implementation of the Master Plan on a staged basis; and*
    - (v) *Should funding become available for the project, the City take a lead role in facilitating the staged implementation of the Master Plan. Minutes (Open Portion) Council Meeting Page 99 17/06/2019.*



3. *The City undertake development of a local area traffic management plan and progress additional planning for the site, at an estimated cost of \$50,000 to be funded within Parks and Recreation Management Function within the 2019-20 Annual Plan.*
4. *The City continue to work with stakeholders in the management of the site.*

## 2. Key Issues

- 2.1. The Master Plan contains a significant number of improvements to the site that will assist in ensuring the current and future demands for the clubs and associations are met.
- 2.2. Some of the key improvements to the Plan include:
  - An overall increase in the number of the netball courts by two.
  - An indoor show court which could potentially host Australian Netball League (ANL) matches.
  - Improved parking which will see an increase in parking spaces, and improved traffic management and safety for pedestrians to the area by increasing drop off/pick up spaces and dedicated pedestrian access.
  - Improved function facilities at New Town Oval and Hobart Netball and Sports Centre.
  - Four new modern change rooms for New Town Oval.
  - New change rooms for Hobart Netball and Sports Centre.
  - New public toilet facilities.
  - Improved storage.
  - Relocation and construction of new clubroom facility for the New Town Croquet Club.
- 1.2. These improvements have been captured in the concept design and plans prepared by Gaetano Palmese Architects, as shown at Attachments A and B to this report.
- 1.3. Following the Council's endorsement of the design concepts and plans, further refinement of the design will be required to enable the implementation of the plan to be staged when practical, so it is not reliant on the full funding being obtained.
- 1.4. Further engagement will also need to be undertaken on an as needs basis.

- 1.5. Should the design concepts and plans be endorsed by Council, this will allow Clubs to begin to seek funding.

### 3. **Recommendation**

***That the Council endorse the design concepts and associated plans for the New Town Sports Precinct, as shown in Attachments A and B to this report, to support the delivery of the New Town Sport Precinct Master Plan through further refinement and subsequent funding submissions by Council and or sporting clubs.***

### 4. **Background**

- 4.1. New Town Oval Sporting Precinct is located between Main Road, Creek Road and St Johns Avenue, New Town and contains several recreational facilities including:
  - New Town Oval.
  - Hobart Netball and Sports Centre.
  - Buckingham Bowls Club.
  - New Town Croquet Club.
- 4.2. The property is owned by the City of Hobart, however most of the site, excluding New Town Oval is under lease to the resident sporting entities.
- 4.3. The site is particularly challenging given it includes several highly active facilities used by wide variety of clubs, associations and other stakeholders (ten in total) with many of them experiencing membership and participation growth.
- 4.4. Many of the facilities on the site are also dated and in need of infrastructure improvements.
- 4.5. Following the Council's endorsement of the Master Plan, a Local Area Traffic assessment was completed.
- 4.6. The clubs were also successful in obtaining \$1 million in funding from the State Government (which was granted to the City) to complete the following actions:
  1. Commence the implementation of the masterplan by converting a disused bowling green to netball courts.

2. Development of the masterplan to provide more detailed designs to enable clubs and associations to seek funding for further implementation stages.
- 4.7. Following receipt of this funding, Gaetano Palmese Architects were engaged to develop the masterplan to a detailed design level.

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

- 5.1. The site is zoned Recreation under the Hobart Interim Planning Scheme 2015 and the upcoming Tasmanian Planning Scheme. The Heritage Consultant has confirmed that the Master Plan and associated design concepts and plans do not impact the heritage elements of the site specifically the trees along St Johns Road and Gate House buildings on the corner of St John Road and New Town Road.

## **6. Discussion**

- 6.1. The design concepts and plans were presented to an Elected Member Workshop on Monday 22 January 2024 by Gaetano Palmese Architects.
- 6.2. Further to discussion and Elected Member questions provided at this workshop, the following additional commentary is provided.
- 6.3. Seating capacity for the Hobart Netball and Sports Centre will be increased to meet the needs of signature sporting events. The current facility does not meet existing and projected needs.
- 6.4. The proposed design for this facility also includes the opportunity for a partnership with Hobart High for whole of school meeting venue.
- 6.5. The overall design enhances access for various codes/sports and increase multipurpose use.
- 6.6. The project will importantly deliver an upgraded cycling track for the only cycling facility of its type in the south.
- 6.7. While the current facility is regional and attracts 400,000 attendances annually, it is one of the City's most constrained sport and recreation sites. The new design seeks to maximise the use of the site in the most flexible way.
- 6.8. The opportunity to relocate some current site uses/activities was investigated, but none have been identified at this time.
- 6.9. In terms of vehicle and pedestrian access:
  - A dedicated pick-up drop-off zone and re-configured parking areas will alleviate congestion and improve safety.

- Parking provision will increase to 120 spaces, including six equal access parking spaces.
- In addition, active travel and end of trip facilities will be supported with bicycle and scooter parking.
- Bus stops on New Town Road and Creek Road in both directions are also nearby.

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

- 7.1. Strategic alignment with the Community Vision is supported in the development of the Master Plan. The Master Plan aligns with Pillars 1, 2 and 6.

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

- 8.1. The Master Plan and concept designs strongly align with the following elements of the City of Hobart Strategic Plan 2023:

6.1.1 Strengthen open space connectivity, prioritising links between the river, bushland and the mountain, through acquisitions and other opportunities.

6.1.2 Ensure the open space network across the City is planned for and managed to meet current and future population needs.

6.5.1 Manage outdoor spaces to accommodate the diverse outdoor recreational needs of the community.

6.5.3 Encourage opportunities to activate the City's open space network for events and activities.

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

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

7.3.6 Consider the needs of children and families in all infrastructure design.

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

- 9.1. The regional sporting needs have been considered in the preparation of these plans. This has included the growth pattern for sport, with this informing the Master Plan and associated design proposals.
- 9.2. All sporting facility developments need to consider the facility standards for the level of sport being played.

- 9.3. The facility caters for competition up to a State Level and facilities must reflect the specifications required by the State Sporting Associations to enable that level of sport to be played at the oval.
- 9.4. Universal design principles will be applied to cater to all users including the provision of unisex and accessible amenities, fit for purpose, multi and shared use, compatibility, public safety, health and safety and functionality are also considered alongside sporting code and guidelines.
- 9.5. As further context, the City of Hobart's Open Space Unit is undertaking the development of an Open Space Strategy. The Open Space Strategy will consider land owned or managed by the City of Hobart that is set aside primarily for leisure, active or passive recreation, nature conservation, other public enjoyment or gathering. This land includes beaches, bushland, public parks, and sportsgrounds. It is anticipated that background work to inform the Open Space Strategy will continue throughout the first half of 2024.

## **10. Financial Viability**

### **10.1. Funding Source and Impact on Current Year Operating Result**

A high-level quantity surveyor report has determined the full cost for implementation of the improvements as significant, at approximately \$55 million.

10.1.1. It is noted that the cost of implementation of the plan is well beyond the capacity of the Council and sporting clubs and associations to fund, and as such will be reliant on significant grant funding.

10.1.2. As the site hosts over 400,000 visitors per year and given there are ten clubs and associations based at the site, it is understood that the funding administrators view the project favourably, given the number of participants that will benefit.

10.1.3. It is 'however' very likely the project will need to be staged to match potential funding availability.

10.1.4. The contracted architect is currently developing an implementation plan to demonstrate to the potential funders how the masterplan can be achieved over time.

### **10.2. Impact on Future Years' Financial Result**

10.2.1. The comments above in point 10.1 also pertain to future financial years.

### **10.3. Asset Related Implications**

10.3.1. Allocations to replace or upgrade key assets will be subject to a competitive process as part of the City's Capital Works and Asset Renewal Program's.

## **11. Sustainability Considerations**

- 11.1. This project will provide the opportunity to improve sustainability outcomes in terms of improved water and power use.
- 11.2. Plantings and other treatments will also take account of sustainability imperatives.

## **12. Community Engagement**

- 12.1. The City initiated a working group of all stakeholders on the site in 2019 and have met on a regular basis during the development of these plans.
- 12.2. Each of the clubs and associations appear to be satisfied with the plans.
- 12.3. Given site constraints, the masterplan does not include provision for an indoor training venue predominately for cricket (although will also potentially cater for other sports). The New Town Cricket Club is seeking potentially partnerships with the State Government for provision of additional land nearby to accommodate this need.
- 12.4. There is a level of community expectation in delivering this plan due the current capacity of the site which restricts clubs and associations from growing, as well as the age of the infrastructure (particularly at New Town Oval and the New Town Croquet Club).
- 12.5. Given the anticipated scale and cost, there is a risk that the project may not proceed for some time. While there are some minor internal upgrades planned for the site such as improvements to toilets and replacement of some infrastructure, which will improve the experience for visitor, these will not address the fundamental site capacity issues.
- 12.6. The Master Plan was subject to stakeholder engagement during development as well as following initial Council endorsement.
- 12.7. The Master Plan was presented to the Access Advisory Committee on 5 September 2023 and received favourably.

## **13. Communications Strategy**

- 13.1. Officers will continue to work with key stakeholders as the projects detailed in this report progress.

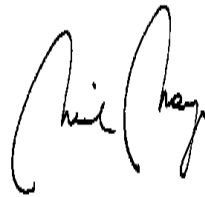
**14. Collaboration**

14.1. The New Town Sport Precinct Master Plan and associated designs has been developed in close collaboration with all key stakeholders including relevant clubs and associations.

*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.*





Kellie Williams  
**ACTING MANAGER SPORT AND RECREATION**



Neil Noye  
**DIRECTOR CITY FUTURES**

Date: 13 February 2024  
File Reference: F24/10320

Attachment A: New Town Sporting Precinct Master Plan - Detailed Designs (Supporting information) 

Attachment B: New Town Sporting Precinct Reduced (Supporting information) 

**14. Quarterly Financial Report - 31 December 2023**  
**File Ref: F24/11375**

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Report of the Chief Financial Officer of 13 February 2024.

Delegation: Council



**REPORT TITLE: QUARTERLY FINANCIAL REPORT - 31 DECEMBER 2023****REPORT PROVIDED BY:** Chief Financial Officer**1. Report Summary**

- 1.1. As at 31 December 2023, the City was reporting an operating deficit of \$4.8 million.
- 1.2. The full year 2023-24 Budget forecast is a deficit of \$2.5 million.
- 1.3. As at 31 December 2023, the City had spent \$10.5 million, or 29.5 per cent of the full year Budget of \$35 million for capital activities, including plant and equipment.

**2. Operating Activities**

Category	Year to Date				Full Year			Forecast Full Year Result
	Budget	Actual	Variance	Variance	Original (Approved) Budget	Revised Budget	Revised (Pending) Budget	
	(\$,000)	(\$,000)	(\$,000)	%	(\$,000)	(\$,000)	(\$,000)	
<b>Revenue</b>								
Rates and Charges	109,319	108,399	(920)	(0.8)	109,701	109,701	0	109,701
Fire Levy Commission	422	415	(7)	(1.8)	870	870	0	870
Fines	4,160	3,535	(625)	(15.0)	8,320	8,320	0	8,320
Fees and Charges - Car Parks	6,781	6,864	83	1.2	13,562	13,562	0	13,562
Fees and Charges - On Street Parking	3,847	3,785	(62)	(1.6)	7,694	7,694	0	7,694
Other Fees and Charges	8,533	9,424	891	10.4	15,372	15,621	(432)	15,213
Operating Grants	1,260	1,459	200	15.8	4,343	4,837	(76)	4,837
Interest	829	733	(96)	(11.6)	1,657	1,657	0	1,657
Rents	1,716	1,946	231	13.4	3,419	3,419	0	3,419
Tas Water Distributions	1,086	1,086	0	0.0	2,606	2,606	0	2,606
<b>Total Revenue</b>	<b>137,953</b>	<b>137,647</b>	<b>(306)</b>	<b>(0.2)</b>	<b>167,545</b>	<b>168,289</b>	<b>(507)</b>	<b>167,881</b>
<b>Expenditure</b>								
Labour	36,664	36,916	(252)	(0.7)	73,073	73,216	181	73,216
Materials and Services	18,770	17,732	1,038	5.5	34,414	34,992	(281)	37,582
Energy Costs	1,228	1,057	170	13.9	2,456	2,456	0	2,456
Finance Costs	671	520	152	22.6	1,815	1,815	0	1,815
Fire Levy	7,117	7,117	0	0.0	14,234	14,234	0	14,234
Depreciation	17,500	23,651	(6,151)	(35.1)	35,000	35,000	0	35,000
Asset Write-offs	600	221	379	63.2	1,200	1,200	0	1,200
Bad Debts	175	0	175	100.0	351	351	0	351
Other Expenses	1,848	1,856	(8)	(0.5)	4,500	4,500	0	4,500
<b>Total Expenditure</b>	<b>84,573</b>	<b>89,071</b>	<b>(4,498)</b>	<b>(5.3)</b>	<b>167,041</b>	<b>167,041</b>	<b>(99)</b>	<b>170,352</b>
<b>Underlying Result</b>	<b>53,379</b>	<b>48,576</b>	<b>(4,803)</b>	<b>(9.0)</b>	<b>504</b>	<b>1,247</b>	<b>(408)</b>	<b>(2,472)</b>

### 3. Year-to Date Variations

- 3.1. As at 31 December 2023, revenue is below budget by \$306 000. This is primarily due to:
  - 3.1.1. A \$625 000 unfavourable variance in Fines, relating to parking system outages and mobile response officer availability.
  - 3.1.2. Offset by an improved actual position compared to budget of \$891 000 in Other Fees and Charges. Included in this amount were timing issues relating to animal registration fees and the Tasmanian Travel and Information Centre advertising fees. Developmental planning fees were also tracking above budget for the first half of the year.
- 3.2. As at 31 December 2023, expenditure is \$4.5 million greater than the against the budget. This is primarily due to:
  - 3.2.1. The Depreciation expense being \$6.2 million greater than the initial estimate.
  - 3.2.2. The City has commenced a review of depreciation expenses. Any forecast update from this review will be reflected in the March 2024 quarter report.
  - 3.2.3. The additional Depreciation expenditure is offset by under expenditure of \$595 000 in Materials and Services, which reflects timing issues predominately in contractor accounts.

### 4. Forecast Full Year Result

- 4.1. The full year forecast has deteriorated from a \$504 000 surplus reported at 30 September 2023, to a \$2.2 million deficit at 31 December 2023. This forecast is being driven by the following factors:
  - 4.1.1. \$408 000 reduction in Fees and Charges at Doone Kennedy Hobart Aquatic Centre due to less revenue being collected compared to the initial budget estimates. This has been included as an operational adjustment in this report;
  - 4.1.2. \$590 000 increase in waste contractor charges compared to the original budget. The original budget was based on a lower price and tonnage for refuse going to Southern Waste, and underestimated charges for green waste collection and processing; and
  - 4.1.3. \$2 million increase in Materials and Services as a result of not achieving internal efficiencies that were targeted during the preparation of the 2023-24 Budget.
- 4.2. The forecast outcome will not reflect the depreciation review until this work has been completed.

## 5. Land Under Road Valuation

- 5.1. Whilst not impacting on the operation activities, there is a potential valuation issue relating to Land Under Roads.
- 5.2. The value of Land Under Roads in Hobart is significantly higher than any other Council in Tasmania.
- 5.3. This issue will be discussed with the Tasmanian Audit Office and if an adjustment is required, this will impact the Statement of Financial Position in the 2023-24 Financial Report.

## 6. Operating Variation Requests

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

Category	Amount (\$'000)	Reason
Revenue (decreases)	408	Reduction in the Doone Kennedy Hobart Aquatic Centre Fees and Charges income to more accurately reflect anticipated revenue.

## 7. Capital Works 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	\$'000
New Assets	2,762	2,478	283	10.3	11,968	11,968	74
Renewal Assets	7,056	5,355	1,701	24.1	13,539	14,224	97
Upgrade Assets	2,120	1,503	617	29.1	4,951	4,951	(171)
Expensed	95	87	8	8.7	257	257	0
Plant and Equipment	2143	1087	1,056	100.0	4,285	4,285	0
<b>Total</b>	<b>14,176</b>	<b>10,510</b>	<b>3,665</b>	<b>25.9</b>	<b>35,000</b>	<b>35,685</b>	<b>0</b>

- 7.1. As at 31 December 2023, \$10.5 million or 29.5 per cent of the revised full year budget has been spent.
- 7.2. Capital Works expenditure is \$3.7 million less than the year-to-date budget allocation.

- 7.3. A mid-year review of all projects is being conducted by the City Projects Office to evaluate the current project performance against budget.

## 8. Capital Works Variation Requests

- 8.1. The following transfer amendments to the existing Capital Works Budget are proposed:

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002262-Parks Annual Allocation FY23/24 – \$95,000	Parks Asset Categories – Fences, Walls and Edges \$20,000 Bins \$10,000 Signage \$10,000 Benches \$10,000 Playgrounds \$10,000 Pavements \$10,000 Other Assets \$25,000
Capital Transfer	0	J002110-Buildings Partial Renewal Works - \$104,146	J002113-Buildings Compliance Work - \$104,146
Capital Transfer	0	J001595-Litter bins & public waste infrastructure renewal - \$40,000	J002367-The Good Water project - \$40,000
Capital Transfer	0	J001717-Middle Island and Inglewood Fire Trail - \$34,000	J002369-Middle Island Creek Crossings - \$34,000
Capital Transfer	0	J002053-Mt Wellington Pinnacle Toilet Upgrade - \$70,000	J002363-Pinnacle Toilets Septic Tank Repair - \$70,000
Capital Transfer	0	J001892-Local Area Traffic Management Works Annual Alloc. - \$16,667	J002229-New Town Retail Precinct 40kmh VMS - \$16,667
Capital Transfer	0	J002292-Bus Stop DDA Upgrade - \$50,000	J002287-Program Contingency FY23/24 - \$50,000

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$37,068	J002032-Sandown Oval (No 2) lighting - \$37,068
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$55,000	J001925-New Town Rd Bridge – \$55,000
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$17,135	J002032-Sandown Oval (No 2) lighting - \$17,135
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$320,000	J002366-Castray Esplanade Light Pole Replacement - \$320,000
Capital Transfer	0	J002283-Access & Identity Control Upgrade for Buildings - \$150,000	J002287-Program Contingency FY23/24 - \$320,000

## 9. Loans and Investments

9.1. As at 31 December 2023, the City had:

9.1.1. Seven loans with an outstanding balance of \$45 million:

Lender	Loan Amount \$'000	Loan Date	Term Years	Maturity Date	Interest Rate %	Balance \$'000
Tascorp	2,375	30/06/2014	10	30/06/2024	4.56	146
Tascorp	15,000	30/06/2021	3	30/06/2024	1.09	2534
Tascorp	5,000	24/08/2021	3	24/08/2024	0.93	1682
National	10,000	29/06/2018	15	30/06/2033	4.02	6997
Tascorp	20,000	18/01/2019	15	18/01/2034	3.59	15076
National	20,000	9/04/2020	15	27/03/2035	2.45	15433
C'wealth Bank	4,800	30/06/2006	30	30/06/2036	6.41	3083
<b>Totals</b>	<b>77,175</b>					<b>44,951</b>

9.1.2. 20 current term deposit investments, with the total invested being \$61 million:

Description	Amount	Interest Rate	Date Lodged	Maturity Date	Interest Paid on Maturity
	\$'000	%			\$'000
<b>Term Deposit Accounts</b>					
G&C Mutual	3,000	5.25	3/07/2023	2/01/2024	79
Police Bank	3,000	5.6	11/07/2023	9/01/2024	84
MyState	300	4.85	4/05/2023	4/01/2024	10
MyState	2,700	4.40	24/02/2023	26/02/2024	119
BankVic	3,000	4.85	27/02/2023	27/02/2024	146
P&N Bank	3,000	4.85	27/02/2023	27/02/2024	146
Suncorp	7,000	4.80	3/03/2023	4/03/2024	338
Bank of Us	3,000	4.80	3/03/2023	4/03/2024	145
Defence Bank	3,000	5.15	6/06/2023	5/03/2024	116
Hume Bank	3,000	5.10	13/09/2023	12/03/2024	76
Auswide	3,000	4.90	2/11/2023	30/04/2024	72
Australian Military Bank	3,000	5.25	4/12/2023	4/06/2024	79
Regional Australia Bank	3,000	5.23	19/12/2023	18/06/2024	78
Heritage Bank	3,000	5.75	6/07/2023	8/07/2024	174
Great Southern Bank/GSB	3,000	5.36	8/08/2023	6/08/2024	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	5/09/2023	3/09/2024	154
Australian Unity Bank	3,000	5.50	4/12/2023	3/12/2024	165
Beyond Bank Australia	3,000	5.40	12/12/2023	11/12/2024	162
<b>Total Term Deposit Accounts</b>	<b>61,000</b>				<b>2,599</b>

9.1.3. \$11.4 million in cash, in addition to the investments. The total included \$1.7 million in the Heritage Account.

**10. Recommendation****That:**

- 1. The Council note the Quarterly Financial Report – 31 December 2023; and**
- 2. The Council approve the following proposed Operational and Capital Works variation requests to update the City's 2023-24 Budget Estimates:**

**Operational Variations:**

Category	Amount (\$'000)	Reason
Revenue (decreases)	408	Reduction in the Doone Kennedy Hobart Aquatic Centre Fees and Charges income to more accurately reflect anticipated revenue.

**Capital Works Transfers:**

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002262-Parks Annual Allocation FY23/24 – \$95,000	Parks Asset Categories – Fences, Walls and Edges \$20,000 Bins \$10,000 Signage \$10,000 Benches \$10,000 Playgrounds \$10,000 Pavements \$10,000 Other Assets \$25,000
Capital Transfer	0	J002110-Buildings Partial Renewal Works - \$104,146	J002113-Buildings Compliance Work - \$104,146
Capital Transfer	0	J001595-Litter bins & public waste infrastructure renewal - \$40,000	J002367-The Good Water project - \$40,000

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J001717-Middle Island and Inglewood Fire Trail - \$34,000	J002369-Middle Island Creek Crossings - \$34,000
Capital Transfer	0	J002053-Mt Wellington Pinnacle Toilet Upgrade - \$70,000	J002363-Pinnacle Toilets Septic Tank Repair - \$70,000
Capital Transfer	0	J001892-Local Area Traffic Management Works Annual Alloc. - \$16,667	J002229-New Town Retail Precinct 40kmh VMS - \$16,667
Capital Transfer	0	J002292-Bus Stop DDA Upgrade - \$50,000	J002287-Program Contingency FY23/24 - \$50,000
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$37,068	J002032-Sandown Oval (No 2) lighting - \$37,068
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$55,000	J001925-New Town Rd Bridge – \$55,000
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$17,135	J002032-Sandown Oval (No 2) lighting - \$17,135
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$320,000	J002366-Castray Esplanade Light Pole Replacement - \$320,000
Capital Transfer	0	J002283-Access & Identity Control Upgrade for Buildings - \$150,000	J002287-Program Contingency FY23/24 - \$320,000



*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: 13 February 2024  
File Reference: F24/11375

**15. City of Hobart Rating and Valuation Strategy Review - Review of Rates Policies**  
**File Ref: F24/11504**

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Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 14 February 2024 and attachments.

Delegation: Council

**REPORT TITLE: CITY OF HOBART RATING AND VALUATION  
STRATEGY REVIEW - REVIEW OF RATES POLICIES****REPORT PROVIDED BY:** Manager Rates, Procurement and Risk  
Director City Enablers**1. Report Summary**

- 1.1. The purpose of this report is to present the outcomes of a review of a number of rates policy positions for the approval of Council, which is part of the City's review of its rating and valuation strategy.
- 1.2. The community benefit 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.

**2. Key Issues**

- 2.1. As approved by Council at its meeting on 23 January 2023, the City is undertaking a strategic review of its rating and valuation strategy (the Review).
- 2.2. Council resolved that part of the Review will consider and include the following, which are integral to the City's rates and charges policy:
  - 2.2.1. Service rates and charges including funding models for waste management services.
  - 2.2.2. Payment due dates and payment options, including discounts for early payment of rates.
  - 2.2.3. Debt management and late payment fees.
  - 2.2.4. Rebates, remissions and discounts including Council's contribution to the State Government pensioner remission scheme.
  - 2.2.5. Whether support measures for those with least capacity to pay are sufficient.
- 2.3. This report will consider items 2.2.1 to 2.2.4, s2.2.5 above will be considered at the Council's March 2024 meeting, together with consideration of offering a SMS notification service for notification of unpaid rates.
- 2.4. Decisions on this part of the Review will inform the development of the Rating and Valuation Strategy for the City, which is intended to be presented to Council at its April 2024 meeting following the outcomes of community consultation on the City's Rating Review Options Paper.

- 2.5. It is proposed that Council reconfirm its policy positions on service rates and charges, including funding models, with minor amendment, payment due dates and late payment fees, endorse amendments to debt management, Council's \$10 contribution to the pensioner discount with funding being redirected to other support initiatives and minor amendments to charitable rates exemptions.
- 2.6. The City's Rates and Charges Policy will be updated to reflect the City's Rating and Valuation Strategy, once approved by Council.

### **3. Recommendations**

#### ***That the Council:***

1. ***Continues to fund stormwater removal services by way of a service rate pursuant to s93 of the Local Government Act 1993 (Tas).***
2. ***Continues to fund waste management services, including general waste, recycling and food organics garden organics collection, by way of a service charge pursuant to s94 of the Local Government Act 1993 (Tas).***
3. ***Endorse the amended Council Policy – Rate Remissions Service Rates and Charges, marked as Attachment A to this report.***
4. ***Continues to offer payment of rates by instalment and makes no change to its payment due dates, being:***
  - (i) ***15 August***
  - (ii) ***15 November***
  - (iii) ***15 February***
  - (iv) ***15 April***
5. ***Resolves to continue to not offer ratepayers a discount on rates paid early or in full by the first instalment.***
6. ***Continues to charge 3 per cent penalty and the prescribed interest rate on unpaid rates.***
7. ***Endorse the amended Council Policy – Collection of Rates Arrears, marked as Attachment B to this report.***
8. ***Endorse minor amendments to the Council Policy – Rates Exemption Charitable Purposes, marked as Attachment C to this report.***
9. ***Ceases the \$10 contribution to the pensioner rates discount with the \$30,000 budgeted each year to be redirected to other pensioner support initiatives in the 2024-25 budget.***

10. ***Endorse the amended Council Policy – Pensioner Rates Remissions, marked as Attachment D to this report.***
11. ***Notes that all changes to Council’s rates policy positions will take effect from 1 July 2024 for the 2024-25 rating year and onwards.***

#### **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. The Review is being conducted through a series of Elected Member workshops and community consultation.
- 4.3. 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:
  - 4.3.1. *The proposed approach and methodology for the City of Hobart Rating and Valuation Strategy Review be endorsed.*
  - 4.3.2. *The timeline for the review process marked as Attachment A to the report be endorsed.*
  - 4.3.3. *The Rating and Valuation Strategy Discussion paper prepared to support the review process marked as Attachment B to the report be endorsed.*
  - 4.3.4. *The proposed Community Engagement Plan to support the review marked as Attachment C to the report be endorsed.*
  - 4.3.5. *An appropriate communications and media strategy be developed to support the Rating and Valuation Strategy review.*
  - 4.3.6. *It be noted that a review of Council’s other revenue sources, including fees and charges, will be considered separately.*
- 4.4. 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.

- 4.5. 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.
- 4.6. As part of the Review, at its meeting on 27 November 2023, Council approved a draft Rating System Options Paper for community consultation and the commencement of community consultation on the Review until 2 February 2024.
- 4.7. Council has resolved that part of the Review will consider and include the following:
  - 4.7.1. Service rates and charges including funding models for waste management services.
  - 4.7.2. Payment due dates and payment options, including discounts for early payment of rates.
  - 4.7.3. Debt management and late payment fees.
  - 4.7.4. Rebates, remissions and discounts including Council's contribution to the State Government pensioner remission scheme.
  - 4.7.5. Whether support measures for those with least capacity to pay are sufficient.
- 4.8. Council has a suite of existing rates policies that cover the topics in s4.7 of this report, above. These topics are also included in the City's Rates and Charges Policy.
- 4.9. This report will consider items 4.7.1 to 4.7.4, s4.7.5 above will be considered at the Council's March 2024 meeting together with consideration of offering a SMS notification service for overdue rates.
- 4.10. Decisions on this part of the Review will inform the development of the Rating and Valuation Strategy for the City, which is intended to be presented to Council at its April 2024 meeting following the outcomes of community consultation on the City's Rating Review Options Paper.
- 4.11. It is proposed that Council reconfirm its policy positions on service rates and charges, including funding models, with minor amendment, payment due dates and late payment fees, endorse amendments to debt management, Council's \$10 contribution to the pensioner discount with funding being redirected to other support initiatives and charitable rates exemptions.

- 4.12. The City's Rates and Charges Policy will be updated to reflect the City's Rating and Valuation Strategy, once approved by Council.

## 5. Legal, Risk and Legislative Considerations

- 5.1. Part 9 of the *Local Government Act 1993 (Tas)* (LG Act) sets out the provisions for rates and charges. It is noted that pursuant to Section 86A of the LG Act, *rates constitute taxation for the purposes of local government, rather than a fee for a service and.... the value of rateable land is an indicator of the capacity of the ratepayer... to pay rates.*
- 5.2. Part 9 of the LG Act provides councils with the framework for making their rates and charges resolutions. This framework provides a range of rating tools and approaches that provide councils with the flexibility to develop a rating strategy that is tailored to the needs of their municipal area.
- 5.3. Council's Rates and Charges Policy is required to be updated to reflect the change to Council's current rating strategy. This is a requirement pursuant to section 86B(4)(c) of the LGA, which states that:

*A council must review its rates and charges policy at the same time, or before, making under section 107 a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year.*

- 5.4. References to specific legislation relating to Council's rating policies are included elsewhere in this report.

## 6. Discussion - Service Rates and Charges including Funding Models for Waste Management Services.

- 6.1. The purpose of considering Council's service rates and charges is to consider whether Council should continue to have these service rates and charges, whether a service rate or a service charge is appropriate and / or whether the revenue required for these services is included in General Rates.
- 6.2. Under the LG Act, a council can have a service rate or charge for any, all or a combination of the following services:
  - 6.2.1. Nightsoil removal;
  - 6.2.2. Waste management;
  - 6.2.3. Stormwater removal;
  - 6.2.4. Fire protection – fire service contributions councils collect under the Fire Service Act 1979;
  - 6.2.5. Any other prescribed service.

- 6.3. A service rate is valuation based. The Council calculates a rate in the dollar and the amount of rates paid by a property is calculated by multiplying the rate in the dollar by a properties property value (currently AAV). A service charge is a fixed \$amount charge that all properties pay, which can be varied e.g. residential properties pay X and non-residential properties pay Y.
- 6.4. Council currently raises its rate revenue through the following rates and charges:
- 6.4.1. General Rate;
- 6.4.2. Stormwater Removal Service Rate (all properties pay the same rate in the dollar);
- 6.4.3. Waste Management Service Charge (which includes amounts for the Landfill Rehabilitation Levy. Non-residential properties pay double the charge for residential properties to reflect the difference in bin sizes e.g. 240Ltr vs 120 Ltr);
- 6.4.4. Food Organics Garden Organics (FOGO) Collection Service Charge (all properties pay the same that receive a FOGO collection service); and
- 6.4.5. Council also collects the Fire Service Levy pursuant to the *Fire Services Act 1979* and the state-wide landfill levy pursuant to the *Waste and Resource Recovery Act 2022* through Council rates. The Fire Service Levy is a service rate and the State Government landfill levy is a service charge. These are not Council charges and the monies raised are passed onto the State Government.
- 6.5. It is proposed that Council continues to apply a Waste Management Service Charge, FOGO Collection Service Charge and Stormwater Removal Service Rate as part of its Rating strategy based on full cost recovery of the waste collection and disposal, FOGO collection and stormwater removal functions rather than combining the revenue required for these services into the General Rate.
- 6.6. As outlined in the LG Act, waste management and stormwater removal are considered discreet services that can be funded using a service charge or a service rate as part of a councils rating strategy. It is considered to be more transparent to have a service charge / rate for these services rather than fund these services from the General Rate. It also allows Council to implement its rates remissions policy for service rates / charges to ensure that only those properties which receive the service from Council pays for it. The Council's policy states that:
- 6.6.1. Generally, a property will only receive a remission of the stormwater removal service rate and / or the waste management service charge in the event that:



- 6.6.2. The property does not receive and is not capable of receiving a standard garbage collection service or stormwater removal service from the Council whatsoever; and
- 6.6.3. Even if the property were capable of receiving such a service, a request to Council for such a service would be denied.
- 6.7. The term 'standard garbage collection service' means:
  - 6.7.1. In the case of a residential property, 120 litres of solid waste per week; or
  - 6.7.2. In the case of a non-residential property, 240 litres of solid waste per week.
- 6.8. The advantage of the service charge for waste and FOGO is that it is simple, easy to understand and accepted by ratepayers as a fee for a direct service that they receive. It provides equity in the rating system in that all ratepayers who receive exactly the same service level pay an equivalent amount. The Waste Management Service Charges is varied by land use to reflect that residential properties have a 120ltr bin and non-residential properties have a 240ltr bin. Non-residential properties pay double the service charge as residential properties reflecting that Council removes double the waste from non-residential properties.
- 6.9. The disadvantage of a service charge is that it is regressive in nature. A fixed charge to a low valued property comprises a greater proportion of the overall rates than it does to a property with a higher value. Before 2010 Council had a service rate (RID x property value) for waste with higher valued properties paying tens of thousands of dollars for a waste service and lower valued properties paying much less and, in some cases, only a few dollars. Also, rates are a form of taxation not a fee for service and ratepayers may view the service charge as a fee for a direct service they receive, making it difficult when ratepayers complain that they don't use the service and hence shouldn't be required to pay for it e.g. commercial properties that use their own commercial waste service. However, the waste management service charge provide revenue that covers a range of other activities and services that have a community wide / public benefit.
- 6.10. It is recommended that Council retains the existing Waste Management and FOGO Collection Service Charges both as separate charges, rather than combining the revenue required into the General Rate and as a service charge rather than a service rate. The Waste Management and FOGO Collection Service Charges are a tangible service that is provided directly to all ratepayers in the same manner.
- 6.11. Should Council decide not to have a Waste Management or FOGO Collection Service Charge, the revenue required for these services would need to be raised by an increased General Rate. This would

mean that ratepayers in higher valued properties would pay for the waste services of lower valued properties. It would also mean that those properties that don't receive a waste management service from Council would effectively be paying for it through their General Rates.

- 6.12. It is acknowledged that Council rates are a form of taxation rather than a fee for service, as outlined in the LG Act. However, it is considered that having a service charge for waste services and valuation driven rates for all other council services provides an equitable outcome for all ratepayers.
- 6.13. It is proposed that the Stormwater Removal Service Rate continues as a separate service rate rather than being converted to a service charge or that the revenue required is included in the General Rate.
- 6.14. The direct benefit to the ratepayer from stormwater removal services is largely invisible unlike the waste service, which is a tangible service provided to all ratepayers in the same way. Also, different property types receive a different level of stormwater removal service from the City and hence the service rate better reflects the taxation principles.
- 6.15. Combining the revenue required for stormwater removal services into the General Rate, will in the same way as for waste services, mean that funding for stormwater removal services will be less transparent and those properties who don't receive a stormwater removal service from Council would ultimately pay for it through their General Rates.
- 6.16. It is proposed that Council approve the minor amendments to its Policy – Rate Remissions Service Rates and Charges, refer **Attachment A**.

## **7. Discussion - Payment Due Dates, Payment Options, Early Payment Discounts, Debt Management and Late Payment Fees**

### ***Payment Due Dates***

- 7.1. It is proposed that Council makes no change to its rates payment due dates.
- 7.2. Under the LG Act a council can require ratepayers to pay rates in one lump sum amount for the year or by instalment. If the rates are to be paid in one payment the council must give ratepayers 60 days' notice of the due date. If by instalment, the notice must be 30 days.
- 7.3. Council currently allows payment by instalment. Rates can be paid in full by the first instalment due date, or by two equal amounts on the first and third instalment due date or paid in four equal amounts on the instalment due dates shown below.
  - 7.3.1. 15 August
  - 7.3.2. 15 November

- 7.3.3. 15 February
- 7.3.4. 15 April
- 7.4. If Council changed its approach and only allowed payment in one single amount, Council would need to wait 60 days before receiving the bulk of its revenue. During this time, Council would be required to continue to provide programs and services, which would place pressure on the City's cash position.
- 7.5. The impact on ratepayers, particularly at this time during cost-of-living pressures, would be enormous. Ratepayers can currently pay their rates in four equal amounts over the financial year. If Council decided to change its position, ratepayers would need to find the lump sum amount earlier in the financial year, which would mean a higher proportion of rates arrears. Council could move the due date for the lump sum to later in the financial year but that would mean further delays to when Council receives the bulk of its revenue whilst being required to continue to provide programs and services that rates revenue funds.
- 7.6. The instalment payment option improves cash flows. It is considered that payment by instalments better matches when Council receives its rate revenue against when it needs to expend these same amounts.
- 7.7. The instalment due dates have always been the dates shown above, as such there is a level of certainty, predictability and understandability (both from Council's revenue and cash flow perspective and a ratepayer's perspective) for both Council and the ratepayer. While it is not proposed they change, they could be changed. Any change would need to be communicated well in advance so ratepayers could change their payment arrangements. It is envisaged that any change would result in increased costs of administering the change, particularly in the short term and likely to increase rates arrears as ratepayers adjust to changed due dates.

### ***Payment Options***

- 7.8. It is proposed that Council makes no change to its payment options.
- 7.9. It is considered that Council has a full variety of payment options for its ratepayers to pay rates. While EFT is not a formal payment method, it is offered to those ratepayers who enquire it and is commonly used by businesses. The City does receive enquiries from ratepayers seeking to pay by direct debit from a credit card. However, this method is not supported by the City's current property and rating system and as credit card numbers change when cards expire, it would increase the number of defaults and administrative costs of maintaining this system. It is noted that payment at Australia Post is the most expensive payment method but does provide convenience and flexibility particularly for

ratepayers who live in rural or regional areas and is a payment method used by approximately 2,500 ratepayers, particularly older Australians.

- 7.10. It is therefore not proposed to make any changes to the payment methods offered by the City to pay rates. However, Officers will continue to monitor payment by cheque. It is noted that payment by cheque is declining in popularity both amongst ratepayers and the banks. Officers will also continue to investigate new and emerging payment methods to ensure ratepayers have access to a range of flexible and convenient payment options.

### ***Early Payment Discounts***

- 7.11. It is proposed that Council does not offer a discount for the early and full payment of Council rates.
- 7.12. Council has the power to offer to all ratepayers a discount on rates paid early or in full by the first instalment due date under section 130 of the *LG Act* as follows:
- (1) *A council may offer to all ratepayers a discount not exceeding 10% on any rate specified in a rates notice for payment of that rate before the date specified in the rates notice.*
- (2) *Subsection (1) only applies in respect of rates which are not paid in instalments.*
- 7.13. Council currently does not offer a discount to all ratepayers for the early and full payment of Council rates. However, following a Council decision in the early 1990s and in August 2016 respectively, the Chief Executive Officer currently has a delegation to approve a rates discount where the ratepayer pays rates on 50 properties or more or in circumstances where a ratepayer has less than 50 properties but pays rates of \$100,000 or more per annum. This is typically provided to Homes Tasmania and Hydro Tasmania on application.
- 7.14. Approximately 3000 ratepayers pay their rates in full by the first instalment due date without the incentive of a discount. If a discount were to be offered the discount percentage amount would need to be calculated each year using the investment rate for Council funds at the time, to ensure that there would not be a financial disadvantage to the Council of offering the discount.
- 7.15. If Council offered a discount for early and full payment of rates, there would be an administrative cost of processing discounts. This would exceed the additional interest revenue resulting from the earlier rates payments.
- 7.16. A review of other councils finds a variety of different approaches with some councils offering a discount on all or some of the rates and charges, some not due to the administrative burden and cost to the council exceeding investment returns; and the discount amount varies

considerably, with 10% being the largest amount offered from the councils reviewed.

- 7.17. If Council did adopt a discount system, the estimated discount amount would need to be budgeted for to ensure that the City collected the right amount of rates to meet what is required in its budget. This would need to be funded from General Rates meaning that those ratepayers who don't have capacity to pay their rates in full by the first instalment due date would effectively be subsidising those that can.
- 7.18. It is therefore considered that offering a discount for those that can afford to pay their rates in full is contrary to the capacity to pay and equity taxation principles and Council should not offer a discount as part of its rating strategy.

### ***Debt Management and Late Payment Fees***

- 7.19. It is proposed that Council endorses changes to Council Policy – Collection of Rates Arrears – refer **Attachment B**.
- 7.20. Council exercises its rate recovery powers under the LG Act in order to reduce the overall rate burden on ratepayers and to better manage the scarce financial resources of Council. It is proposed to include debt recovery principles in Council's policy.
- 7.21. Rates are due for payment on the instalment due dates outlined in section 7.3 above.
- 7.22. Where rates remain unpaid after the instalment due date Council charges a penalty on unpaid instalments in accordance with section 128(1)(c) of the LG Act, and thereafter interest is charged monthly.
- 7.23. Section 128 of the LG Act states that:
- (1) If any rates or instalments are not paid on or before the date they fall due, a council may –*
- (a) impose a penalty not exceeding 10% of the unpaid rate or instalment; or*
- (b) charge a daily interest not exceeding the prescribed percentage in respect of the unpaid rate or instalment for the period during which it is unpaid; or*
- (c) impose a penalty and charge interest as specified in paragraphs (a) and (b).*
- (2) For the purposes of subsection (1), prescribed percentage is to be calculated in accordance with the following formula:*

$$P = \frac{LTB + 6\%}{365}$$

where –

*P is the prescribed percentage;*

*LTB is the official ten-year long term bond rate as determined by the Reserve Bank as at the close of business on the last day of business preceding 1 March.*

- 7.24. In accordance with section 128(1)(a) of the LG Act above, the City can impose a penalty not exceeding 10%. The Council has chosen to set the penalty at 3% of the instalment amount as that level, in addition to revenue received from interest charges, recovers Council's costs of rates debt management.
- 7.25. The interest rate that Council can charge under the LG Act must not exceed the prescribed percentage. How that percentage is calculated is set out in section 128(2) of the LG Act, above, and changes each year.
- 7.26. The City has always charged the prescribed percentage of interest. As this amount enables Council to recover its rates debt management costs. Although the prescribed percentage is the limit and Council could charge a lower percentage amount should it wish to do so.
- 7.27. The Chief Executive Officer has been granted a delegation by Council to approve penalty and/or interest requests in accordance with the City of Hobart Rates and Charges Policy. The Manager Rates, Procurement and Risk has also been delegated the authority to approve penalty and/or interest requests up to the limit of \$500 per application. The conditions and criteria for granting a remission of penalty and/or interest charges is outlined in section 6.7 below.
- 7.28. 15 of the 29 Tasmanian councils charge the prescribed interest rate, the same as City of Hobart. This includes the larger councils and our southern neighbours – Brighton, Derwent Valley, Glenorchy, Huon Valley and Kingborough. 21 of the 29 councils charge an interest rate above 6%.
- 7.29. 15 councils charge penalty. Four councils charge the maximum of 10%. City of Hobart is amongst those councils with the lowest penalty amount of 3%. City of Launceston also charged 3% penalty.
- 7.30. No changes are proposed in relation to the penalty and interest amounts charged by Council at this time as they are considered appropriate and necessary to recover costs to the City incurred when rates are paid late and debt management is required.
- 7.31. Penalty and interest are charged to recover the administrative costs to the City from rates not being paid by the due date. The costs include:
  - 7.31.1. Lost interest revenue.

- 7.31.2. Impacts on the City's cash flow.
  - 7.31.3. Costs incurred by Council when debts are referred to the Tasmanian Collection Service for debt recovery action, currently 5% of the \$value of the debt lodged.
  - 7.31.4. Officer time managing outstanding rates. The City has a dedicated Rates Officer at 0.67FTE that manages debt; however, all of the Rates Team including the Manager are involved, in some capacity, in managing outstanding rates.
  - 7.31.5. Costs of printing and mailing payment arrangements, debt letters and statutory 14-day notices to ratepayers.
  - 7.31.6. Costs of ringing ratepayers to follow up on rates arrears. The City's rates arrears policy requires Officers to make contact with ratepayers in arrears by telephone. Multiple calls are usually made in an attempt to recover outstanding rates.
- 7.32. The purpose of penalty and interest is to act as a deterrent to ratepayers who might otherwise fail to pay their rates on time, to allow Council to recover the administrative cost of following up unpaid rates and to cover any interest cost the council may meet because it has not received the rates on time.
- 7.33. Any ratepayer who may, or is likely to, experience difficulty with meeting the standard instalments and due dates can contact Council to discuss alternative payment arrangements or apply for assistance under the City's Financial Hardship Assistance Policy.

**8. Discussion - Rebates, remissions and discounts including Council's contribution to the State Government pensioner remission scheme.**

***Rebates***

- 8.1. Under s87(1) of the LG Act, certain types of land are exempt from paying General Rates. Pursuant to s87(2) of the LG Act, the owner of any land referred to in s87(1) may agree to pay the rates and many do.
- 8.2. Section 87(1)(d) of the LG Act states that:
  - (1) All land is rateable except that the following are exempt from general and separate rates, averaged area rates, and any rate collected under section 88 or 97:
    - (d) land or part of land owned and occupied exclusively for charitable purposes.
- 8.3. The City of Hobart does not have a separate rate, averaged area rates, or a rate collected under section 88 (rates collected on behalf of authorities) or under section 97 (construction rate and charge) so in

effect section 87(1)(d) for the City of Hobart pertains to the General Rate only.

- 8.4. The entitlement to the General Rate exemption under this section is a matter of law but Council has the task of assessing whether or not the exemption applies. The policy seeks to explain how Council will do so. The policy has been drafted so that it addresses the specific requirements of the legislation, and the elements which must be satisfied in order for an applicant to qualify for the exemption.
- 8.5. It should be noted that there are effectively two ways that an entity can obtain the charitable exemption from Council - either by applying to Council or objecting to a rate notice pursuant to section 123(1)(a) of the LG Act on the grounds that the land specified in the rates notice is exempt from the payment of those rates.
- 8.6. The policy provides that either way, certain information must be provided to Council to support the application or objection. Properties in receipt of the charitable rates exemption are audited annually to ensure that the entitlement of the exemption continues into the next financial year.
- 8.7. It is proposed that Council endorse minor administrative amendments to its Policy - Council's Policy Rates Exemption – Charitable Purposes, refer **Attachment C**.

### ***Pensioner Remissions***

- 8.8. Across all Tasmanian councils eligible pensioner concession card holders receive a discount off their rates for their principal place of residence under the State Government pensioner rates remission scheme (the Scheme). The Scheme is administered by the State Government who decide who is eligible for the discount and its value pursuant to the *Local Government (Rates and Charges Remissions) Act 1991*.
- 8.9. The State Government pensioner rates remission is available to pensioners who hold one of three types of cards issued by either Centrelink or the DVA:
  - 8.9.1. Centrelink or Department of Veterans' Affairs Pensioner Concession Card.
  - 8.9.2. Centrelink Health Care Card.
  - 8.9.3. Department of Veterans' Affairs 'Gold Card' endorsed with Total or Permanent Injury (TPI) or War Widow/Widower DVA.
- 8.10. There is a limit of one remission per year per pensioner household. A pensioner who owns multiple properties is not entitled to receive more than one remission per year. Pensioners living in a prescribed institution e.g. nursing home, may be entitled to the pensioner rates discount.



- 8.11. The rates discount, which is indexed each year, is:
  - 8.11.1. 30% of rates and charges (excluding Fire Service Rate) capped at a maximum amount each year as annually advised by the State Government (for 2023-24 capped at \$368.00 for pensioners also a customer of TasWater \$542.00 for pensioners not a customer of TasWater) , plus
  - 8.11.2. 20% of the Fire Service Rate, uncapped (so the higher the property value the higher the discount).
- 8.12. Under the Scheme, ratepayers apply to Council and Council provides the discount to eligible ratepayers and is reimbursed by the State Government.
- 8.13. In addition to the State Government pensioner remission scheme, Council provides a \$10 discount off rates to eligible pensioners in the Hobart municipal area, which includes certain independent retirees. The background to this decision is as follows:
  - 8.13.1. In June 1994 the Association of Independent Retirees approached Council seeking equal treatment for independent retirees in the area of pensioner rates concessions.
  - 8.13.2. Council subsequently resolved that on the basis the request was on behalf of all independent retirees that Council was unable to support a rates concession in the absence of State Government support.
  - 8.13.3. In November 2014 Council considered a further report and resolved that pensioners with a Commonwealth seniors card or who are members of the Independent Retirees can apply for a Council pensioner discount, noting that its value would be \$10.
- 8.14. The \$10 Council discount has never been indexed, so it has remained at \$10 since 1996.
- 8.15. No other council in Tasmania provides anything other than the State Government pensioner discount to pensioners.
- 8.16. In NSW, pensioners receive the following rates discounts, the cost of which is shared between the State Government (55%) and local councils (45%):
  - 8.16.1. \$250 off ordinary council rates and charges for domestic waste management services;
  - 8.16.2. \$87.50 on annual water rates and charges (where the service is provided by council); and
  - 8.16.3. \$87.50 on annual sewerage rates and charges (where the services are provided by council).

- 8.17. These discounts are applicable to eligible pensioners but may be granted to ratepayers suffering financial hardship in certain circumstances.
- 8.18. The City of Sydney provides a 100% rebate of rates and annual charges for eligible pensioners within its local government area. This scheme provides an additional rebate on top of the mandatory rebate above for eligible pensioners and in total, the scheme costs the City of Sydney over \$4.2M per year.
- 8.19. In Victoria the state government scheme provides 50% off the current years rates up to a maximum of \$253 per year per eligible property. The State Revenue Office grants a \$50 rebate off the Fire Service Levy.
- 8.20. The City of Melbourne in addition to the above, grants an additional 25% off rates up to a maximum of \$253 per year. In most instances, the combination of the State Government scheme and the City's discount, means that pensioners receive an annual discount off rates of \$420.50.
- 8.21. In South Australia, up until 30 June 2015 the state government funded councils to provide a rebate on council rates to eligible concession card holders.
- 8.22. As of 1 July 2015 the state government replaced the concession on council rates with the 'Cost of Living Concession' (CLC) provided directly to those entitled, for 2023-24 amount was \$243.90. Self-funded retirees receive \$122.00 and tenants receive \$122.00. In addition the State Government provides a discount off the Emergency Services Levy.
- 8.23. This means that concession cardholders no longer receive a rebate on council rates in South Australia. However, the state government encourages recipients to use the CLC payment to assist in the payment of council rates.
- 8.24. The City of Adelaide doesn't offer any pensioner rates discounts in addition to the State Government CLC outlined above.
- 8.25. In the ACT, eligible pensioners receive a 50% discount off their rates per year, capped at \$700 and a \$98 discount off the Fire and Emergency Services Levy.
- 8.26. In the NT, eligible pensioners receive a 62.5% discount off their annual rates up to a maximum of \$200 per household per year. Also, a discount for the waste management service, which varies according to where you live but ranges between \$25 and \$150 per year. As an example, for ratepayers in Alice Springs, the discount is \$52, for ratepayers in Darwin the discount is \$46.25.
- 8.27. In QLD, under the State Government scheme, eligible pensioners receive a 20% discount up to a maximum of \$200 per year of gross

rates and charges levied by a local council. Also, 20% off the emergency management levy with no cap.

- 8.28. In addition to the State Government scheme above, Brisbane City Council provides a rebate of up to 40% off the rates bill up to a maximum of \$300.50 per quarter or \$1,201 per year to people who receive a full pension. For people who are on an allowance/benefit or part pension Brisbane City Council provides a 20% rebate up to \$150.25 per quarter or \$601 per year. Where a pensioner holds a current Centrelink pensioner concession card but does not receive a pension, the PPC cardholder receives the State Government subsidy only.
- 8.29. In WA, under the State Government scheme, eligible pensioners are entitled to a 50% discount off rates capped at \$750 per year. For those with a WA Seniors Card (self-funded retirees) pensioners are entitled to receive a discount of 25% off rates capped at \$100 per year.
- 8.30. The City of Perth doesn't offer any pensioner rates discounts in addition to the State Government scheme above.
- 8.31. As outlined above, in all States and Territories pensioners receive some support meeting rate payment obligations through a State Government scheme. Some councils provide additional support to pensioners, which is funded by the council as part of their budget.
- 8.32. There are approximately 3000 property owners in the Hobart municipal area who are pensioners.
- 8.33. The majority of councils across Australia provide rates discounts to pensioners under a State Government scheme of some description. Fewer councils provide additional monetary discounts specifically for rates but have a range of other financial hardship support measures to assist those ratepayers who experience difficulties in meeting their rate payment obligations. Of those councils who do provide additional support, the monetary value of that support forms part of the council budget and factored into their long-term financial plan.
- 8.34. It is clear that the \$10 discount Council provides in addition to the State Government pensioner remission scheme is inadequate as a support measure. The discount has remained at \$10 since at least 1996, has lost its value, has not kept pace with cost-of-living pressures, is rarely applied for and is costly to administer. While the yearly budget is \$30,000, the administration cost to the City, which is funded from general rates far outweighs the \$10 discount, making it not cost effective to provide. No other Tasmanian council provides a rates discount other than the State Government scheme.
- 8.35. While it is appreciated that cost of living pressures are putting additional pressure on ratepayers to be able to meet their rates payment obligations to Council, it is proposed to remove the Council \$10

pensioner discount, noting that the State Government pensioner discount will remain for eligible ratepayers. It is also noted that the City has a Financial Hardship Assistance Policy to provide additional support to those ratepayers experiencing financial hardship and being unable to meet their rate payment obligations.

- 8.36. While this means that self-funded retirees will not receive the \$10 pensioner discount from Council, it is rarely applied for given its \$value and eligible self-funded retirees who are experiencing financial hardship will be able to access the same support as other ratepayers under the City's Financial Hardship Assistance Policy.
- 8.37. It is proposed that Council endorses changes to Council Policy – Pensioner Rates Remissions – refer **Attachment D**.
- 8.38. It is proposed that the \$30,000 budgeted for the Council contribution to the pensioner discount be used to fund other support services in the City's 2024-25 budget.

## 9. Capital City Strategic Plan

- 9.1. This matter 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.

## 10. Financial Viability

- 10.1. Funding Source and Impact on Current Year Operating Result
- 10.1.1. There is no impact on the current year operating result from the proposals in this report. The proposals would take effect from 1 July 2024 for the 2024-25 rating year.
- 10.2. Impact on Future Years' Financial Result
- 10.2.1. While it is proposed not to offer the \$10 council contribution to the pensioner discount, the \$30,000 revenue will be redirected to other pensioner support programs in the 2024-25 budget, to be considered by Council at its June 2024 meeting.
- 10.2.2. There is no other impact on future years' financial results. The Council levies rates on the basis of what is required from the Council's budget.
- 10.3. Asset Related Implications
- 10.3.1. Not applicable.

## 11. Community Engagement

- 11.1. Extensive community engagement was undertaken from 29 November 2023 to 2 February 2024 on various options for the City's rating system.

- 11.2. The outcomes from community consultation will be presented to Elected Members at its February workshop and will feed into the development of the draft City of Hobart Rating and Valuation Strategy, to be considered by Council at its April 2024 meeting.

## 12. Communications Strategy

- 12.1. 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.
- 12.2. Widespread communications have occurred and will continue to occur regarding outcomes from community consultation and the resultant Rating and Valuation Strategy for the City to be considered by Council at its April 2024 meeting.

*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: 14 February 2024  
File Reference: F24/11504

- Attachment A: Revised Council Policy - Rate Remissions - Service Rates and Charges (Supporting information) 
- Attachment B: Revised Council Policy - Collection of Rates Arrears (Supporting information) 
- Attachment C: Revised Council Policy - Rates Exemption Charitable Purposes (Supporting information) 
- Attachment D: Revised Council Policy - Pensioner Rates Remissions (Supporting information) 

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**16. Local Government Reform**  
**File Ref: F24/7190**

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Report of the Project Manager - Office of the CEO of 14 February 2024 and attachments.

Delegation: Council

**REPORT TITLE: LOCAL GOVERNMENT REFORM****REPORT PROVIDED BY:** Project Manager - Office of the CEO**1. Report Summary**

- 1.1. The purpose of this report is to present for approval the City's Submission in response to the Final Report and associated 37 recommendations released by the Minister for Local Government following a comprehensive review of Local Government in Tasmania undertaken by the Local Government Board.

**2. Key Issues**

- 2.1. At the end of 2021, the Tasmanian Government commissioned the Local Government Board (the Board) to undertake the Future of Local Government Review in response to the recommendations made by the Premier's Economic and Social Recovery Advisory Council (PERSAC).
- 2.2. The Board was established with broad statutory powers under Part 12A of the *Local Government Act 1993*. The Terms of Reference provided to the Board required a review of the role, function, and design of local government in Tasmania to meet challenges it will face over the next 20-30 years and ***create a more robust and capable system of local government, for the benefit of all Tasmanians.***
- 2.3. The Board undertook the review in 3 specific stages over a period of 20 months and provided its final report to the Minister for Local Government in October 2023. ***A copy of the final report has been included and marked as Attachment A.***
- 2.4. The Board's Final Report contains 37 recommendations covering a broad range of issues.
  - 2.4.1. Having received the report, the Minister released the document and has provided the opportunity for stakeholders to provide feedback on the recommendations prior to the formal consideration of those recommendations by the Tasmanian Government.
- 2.5. The recommendations if implemented will result in the significant reform of Local Government in Tasmania:
- 2.6. Given the importance of this review and the potential far reaching outcomes it is essential that Hobart, as a Capital City be actively engaged and provide a comprehensive response to the recommendations identified.
- 2.7. In large part, the recommendations are consistent with the earlier draft reports released throughout the process. The City has provided comment on most of the proposals on previous occasions.

- 2.8. Whilst supporting the need for the reform of Local Government in Tasmania and welcoming opportunities to update legislation, investigate alternative service delivery models along with a range of other initiatives detailed in the Final Report, there has been no evidence provided which details Hobartian views on the options identified for possible Council mergers.
- 2.9. Given the circumstances, the City's submission cannot provide comments regarding the alteration of the municipal boundaries as proposed. This is consistent with the responses previously provided by the City.
- 2.10. A draft submission has been prepared, a copy of which is attached to this report and marked as **Attachment B**. It is proposed that the draft submission be endorsed, and the Chief Executive Office be authorised to finalise the document for lodgement with the Tasmanian Government.
- 2.11. To help improve communication and explore opportunities for increased collaboration and cooperation, the Elected Members of the Glenorchy City Council and the City of Hobart met on 16 October 2023.
- 2.11.1. The meeting was very positive, and it was agreed to identify opportunities, however it was further agreed that this collaboration should not be interpreted as a move towards the amalgamation of the two Council areas.

### **3. Recommendation**

#### ***That:***

- 1. *The report presented by the Chief Executive Officer on the future of local government review process and the Local Government Board's Final Report (October 2023) be noted.***
- 2. *The Draft Submission prepared in response to the recommendations contained in the Final Report (October 2023), provided at Attachment B be endorsed.***
- 3. *The Chief Executive Officer be authorised to:***
  - (i) Finalise and lodge the submission to the Tasmanian State Government.***
  - (ii) Participate in processes as necessary to progress implementation of the recommendations (that align with Council policy) contained in the Final Report (October 2023) as approved by the Tasmanian Government.***



- 4. *The Chief Executive Officer work with colleagues at the Glenorchy City Council to identify tangible opportunities to increase collaboration and cooperation between the Glenorchy City Council and the City of Hobart and report back to Council when appropriate.***

#### **4. Background**

- 4.1. The Tasmanian State Government has committed to the reform of Local Government and commissioned the Local Government Board to undertake a Review of the role, function, and design of local government in Tasmania.
- 4.2. As detailed previously, the objective of the review is to create a more robust and capable system of local government, for the benefit of all Tasmanians.
- 4.3. The reform process was framed as a once-in-a-generation opportunity to design a local government system in Tasmania that can respond to the growing and changing demands of our community.
- 4.4. As detailed in earlier reports provided to Council, the Board made it very clear that it formed the view that:
- *Clarification was required on the role and functions of Local Government in Tasmania.*
  - *Major changes were required to future proof local government by enhancing capability and capacity.*
  - *No Council, regardless of size, would be exempted.*
  - *Change of scale required would not occur on a purely voluntary basis.*
  - *Current Council boundaries do not necessarily reflect how contemporary Tasmanians live, work, and connect.*
- 4.5. The Board undertook the review for 20 months and provided its final report to the Minister for Local Government in October 2023. A copy of the Final Report is marked as **Attachment A** to this report.
- 4.6. The process has been considered previously by Council when three earlier submissions were developed and lodged in response to the completion of the earlier stages of the process. The content of those submissions was approved by Council at meetings held 30 May 2022, 20 February 2023 and 17 July 2023. Copies of those submissions are attached and marked as **Attachment C**.

- 4.7. A delegation from the City also attended the hearing conducted by the Board on 31 August 2023. The detail provided to the Board at the hearing was consistent with the content of the submissions previously provided to the Board.
- 4.8. Representatives from Hobart also participated in a number of forums conducted as a component of the review process.
- 4.9. The Final Report summarises the extensive process undertaken, and details 37 recommendations presented to the Tasmanian Government for consideration.
- 4.10. Having received the report, the Minister released the document and provided the opportunity for stakeholders to provide feedback on the recommendations prior to the formal consideration by the Tasmanian Government.
- 4.11. Given the importance of this review and the potential far reaching outcomes it is essential that Hobart, as the Capital City be actively engaged and provide a comprehensive response to the recommendations developed.
- 4.12. In summary the recommendations cover the following:
  - 4.12.1. Review of the Tasmanian Local Government Act
  - 4.12.2. Clarification of the role and function of Local Government
  - 4.12.3. Establishment of a renewed strategic planning and reporting framework, including performance monitoring.
  - 4.12.4. Amalgamation of a number of existing Council Areas including the proposed amalgamation of the Hobart and Glenorchy City Council areas.
  - 4.12.5. Establishment of a new Local Government Board and associated processes to enable the proposed amalgamations to be progressed.
  - 4.12.6. Establishment of new processes to enshrine shared service arrangements in legislation.
  - 4.12.7. New requirements for councils to consult with local communities associated with wellbeing priorities and develop clear deliberative community engagement strategies.

- 4.12.8. Proposals to improve opportunities for training and development of Elected Members, review allowances payable to Elected Members and to expedite issues relating to statutory sanctions associated with councillor misconduct or poor performance.
  - 4.12.9. Establishment of a framework to enable councils to simplify rating systems, review FAGS grant processes and diversify revenue raising opportunities (including the introduction of developer contributions).
  - 4.12.10. Identification of opportunities for Local Government to collaborate with the Tasmanian Government to review regulatory processes, strengthen service delivery partnership opportunities and build increased capacity to respond to emergency events.
  - 4.12.11. Provision of increased support to the Local Government Association of Tasmania (LGAT) to develop and implement workforce plans.
- 4.13. In large part, the recommendations are consistent with the earlier draft reports released through this process. The City has provided comment on most of the proposals on previous occasions.
  - 4.14. Whilst supporting the need for the reform of Local Government in Tasmania and welcoming opportunities to update legislation, investigate alternative service delivery models along with a range of other initiatives detailed in the Final Report, there has been no evidence provided which details Hobartian views on the options identified for possible council mergers.
  - 4.15. Given the circumstances, the City's submission cannot provide comments regarding the alteration of the municipal boundaries as proposed. This is consistent with the responses previously provided by the City.
  - 4.16. It is also noted that the Tasmanian Government has reaffirmed its previously stated position that it will not force Councils to amalgamate irrespective of the Board's independent advice.
  - 4.17. A draft submission responding to each of the recommendations has been prepared, a copy of which is attached to this report and marked as **Attachment B**.
  - 4.18. It is proposed that the draft submission be endorsed, and the Chief Executive Office be authorised to finalise the document for lodgement with the Local Government Board.
  - 4.19. Whilst the recommendation relating to the proposed amalgamation of the Hobart and Glenorchy Municipal Areas cannot be supported at this

stage, the majority of the other recommendations are supported and can be progressed if they are approved by the Tasmanian Government.

- 4.20. It is therefore proposed that that the Chief Executive Officer be authorised to participate in processes as necessary to progress implementation of the recommendations (that align with Council policy) contained in the Final Report (October 2023) as approved by the Tasmanian Government.
- 4.21. To help improve communication and explore opportunities for increased collaboration and cooperation the Elected Members of the Glenorchy City Council and the City of Hobart met on Monday 16 October 2023.
  - 4.21.1. The meeting was very positive and agreed to identify opportunities, this collaboration however should not be interpreted as a move towards the amalgamation of the two Council areas.
- 4.22. It is proposed that the Chief Executive Officer be authorised to work with colleagues at the Glenorchy City Council to identify tangible opportunities to increase collaboration and cooperation between the Glenorchy City Council and the City of Hobart and report back to Council when appropriate.

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

- 5.1. Irrespective of the outcome of the current reform process, it is essential to progress the legislative change required to contemporise Tasmanian Local Government legislation to bring it in line with other local government jurisdictions; and to progress planning reforms and reviews in parallel with recommended changes to the local government sector. Reviewing regulations regarding inclusionary zoning, developer contributions and rates and charges is considered a priority.

## **6. Discussion**

- 6.1. Elected Members have been provided the opportunity to be informed about the process, the reforms proposed and discuss the options at workshops.
- 6.2. Reform of Local Government in Tasmania last took place in 1993 with an emphasis on the amalgamation of a number of Councils resulting in a reduction of Council Areas from 46 to 29.
- 6.3. There have been several attempts to initiate change (principally associated with proposed amalgamations) since that time, however those attempts have been thwarted. Each time proposals to change existing council boundaries have attracted significant public debate and have become politically charged.
  - 6.3.1. Given the growth, technological (and other) change over the last 30 years, and the findings of the review process to date, it

is accepted that reform is required to ensure Local Government can meet the growing demands of the community.

- 6.4. It is recognised that Tasmania is not best served by the continuation of 29 councils, however there is no evidence currently available which outlines Hobartian views on the proposed merger with the Glenorchy City Council Area. As such it is not possible to provide comments on the suggested alteration of the municipal boundaries as proposed.
- 6.5. The process undertaken in this instance has been comprehensive and considered the role and function of Local Government and the changes required to ensure the sustained delivery of those services.
- 6.6. Given the Tasmanian Government's position not to force the amalgamation of Councils it would be easy to consider this process now complete.
  - 6.6.1. In view of the robustness of the process undertaken by the Board and as the range of issues covered by the recommendations in the Final Report are broad there is significant opportunity to progress reform aside from the proposed boundary changes.
- 6.7. The current momentum should be maintained and work be continued to implement the various recommendations in the short term (subject to the Tasmanian Government's determination of those recommendations).
- 6.8. Ultimately the implementation of all the recommendations is more likely to be pursued by the new State Government elected at the 2025 (or earlier) election.
- 6.9. Given the circumstances and the agreed need for reform of the Sector, it is essential that Hobart as the State's Capital City remain active and fully engaged in the ongoing process.

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

- 7.1. The matter of Local Government Reform aligns with the City of Hobart Capital City Strategic Plan 2023 namely:

- 7.1.1. *Pillar 8 – Governance and Civic Involvement*

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

*Strategies 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.*

## 8. Financial Viability




- 8.1. The local government sector is experiencing a range of cost pressures which are impacting long-term financial sustainability of Tasmanian councils.
- 8.2. A detailed and comprehensive analysis would be required to determine the longer term financial impacts of the proposed amalgamation with Glenorchy.
- 8.3. Proposed amalgamations aside, there is a clear need for councils to have improved flexibility to generate income and proposals to provide the opportunity to diversify incomes streams is seen as positive.
- 8.4. It remains important to ensure revision of service provision does not result in additional cost- shifting from other spheres of government to Councils.
- 8.5. It is also important to ensure that assistance is provided to Councils to cover the costs associated with the implementation of any of the reforms proposed.
- 8.6. Finally, many of the key recommendations require the substantial involvement of the Local Government Association of Tasmania LGAT).
  - 8.6.1. It is vital that the Tasmanian Government provide adequate resourcing to the LGAT to ensure those obligations can be met.

*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.*



Glenn Doyle  
**PROJECT MANAGER - OFFICE OF  
THE CEO**

Date: 14 February 2024  
File Reference: F24/7190

- Attachment A: The Future of Local Government Review - Final Report (Supporting information) 
- Attachment B: City of Hobart Draft Submission - Future of Local Government Review (Supporting information) 
- Attachment C: Previous Submissions to the Review of the Future of Local Government (Supporting information) 

**17. Acting Lord Mayor Higher Duties Allowance**  
**File Ref: F24/12413**

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Memorandum of the Director City Enablers of 14 February 2024 and attachments.

Delegation: Council



City of **HOBART**

## MEMORANDUM: COUNCIL

# Acting Lord Mayor Higher Duties Allowance

### Introduction

The purpose of this report is to seek the Council's consideration to provide 'higher duties' to the Deputy Lord Mayor when acting in the role of Lord Mayor for periods less than the four weeks noted under the *Local Government (General) Regulations 2015*.

This item was considered at the January 2024 Council meeting but was deferred for further information. This report provides further information.

### Background

In accordance with Section 340A(2) of the *Local Government Act 1993*, "A mayor and deputy mayor are entitled to prescribed allowances in addition to [prescribed councillor allowances]".

Further, under the *Local Government (General) Regulation 42(2A)* – "If a deputy mayor is appointed to act in the role of mayor for a period of 4 consecutive weeks or more, the deputy mayor is entitled to receive, for that period, the allowance payable to the mayor."

The role of Lord Mayor is a demanding one with a substantial workload and complex responsibilities. It is not a role that is comparable to the responsibilities and workloads of Mayors in most other municipal areas in the state.

It is a leadership role in a fast-growing capital city that requires a significant time commitment, and regularly more than the hours devoted to a 38-hour week position. Many of these hours take up normal family or rest time such as evenings and weekends.

During periods of the Lord Mayor's annual leave or when the Lord Mayor is out of the state representing the Council at intergovernmental forums or other commitments, this responsibility is transferred to the Deputy Lord Mayor as Acting Lord Mayor.



It is expected that the Acting Lord Mayor seamlessly takes on the role and the full schedule of the Lord Mayor of the day. For periods of seven (7) consecutive days or more, it is considered reasonable that the Deputy Lord Mayor be compensated for the significant additional responsibility and time commitment that comes with this role.

### **Deputy Lord Mayor Additional Allowance**

Section 340A of the *Local Government Act 1993* entitles elected members to allowances as prescribed in regulations. Deputy Mayors are entitled to an allowance in addition to that payable to them as a councillor.

The additional allowance for the Deputy Mayor is in consideration of the additional responsibilities and additional workload over and above that of councillors and it is reasonable to expect that the Deputy Mayor be well-informed and across a higher level of detail than councillors.

The Deputy Lord Mayor is the Council-appointed proxy for the Lord Mayor on the Local Government Association of Tasmania. They are also the Council-appointed representative and Chair of the Southern Tasmanian Councils' Authority (STCA). This appointment takes many hours of the Deputy Lord Mayor's time – in 2022 there were 25 meetings and in 2023, there were 41 meetings related to the business of the STCA.

Further, the Council-endorsed Governance Framework identifies that on the occasion where the Lord Mayor does not accept an invitation to represent the Council and it is considered appropriate and reasonable for it to be passed on, the Deputy Lord Mayor will represent the Lord Mayor in the first instance.

In 2022, the Deputy Lord Mayor represented the Lord Mayor at 32 events; attended the Council of Capital City Lord Mayors AGM and Meetings in Canberra and attended two LGAT meetings on the Lord Mayor's behalf.

In 2023, the Deputy Lord Mayor represented the Lord Mayor at 35 events and attended five LGAT meetings on the Lord Mayor's behalf.

### **Periods of Acting Lord Mayor in 2022 and 2023**

In calendar year 2022, the Deputy Lord Mayor acted in the role of Lord Mayor for a total of 39 days. There were three periods of seven consecutive days or more.

During those 39 days, the Acting Lord Mayor attended 25 constituent and other meetings with organisations, businesses, government agencies and politicians; received a visiting Ambassador; attended, launched or opened 27 events; delivered five speeches and undertook four media interviews.

In calendar year 2023, the Deputy Lord Mayor acted in the role of Lord Mayor for 59 days. There were seven periods of seven consecutive days or more.

During those 59 days, the Acting Lord Mayor attended 34 constituent and other meetings with organisations, businesses, government agencies and politicians; received two visiting Ambassadors; attended, launched or opened 30 events; delivered 10 speeches; and undertook 12 media interviews.

Had the proposed policy position of the Deputy Lord Mayor being entitled to receive higher duties when appointed to act in the role of Lord Mayor for a period of seven (7) consecutive days or more been in place in 2022-23, the quantum of higher duties for the year would have been \$5,653 and in 2023-24, \$9,841.

### **2018 Board of Inquiry review of allowances paid to Local Government Councillors**

In 2018, the Tasmanian Industrial Commission conducted a Review of councillor allowances.

The Council provided a submission in response to the Board of Inquiry's review addressing the following principles:

- a) The Board's review would benefit from including member(s) with Local Government experience
- b) Appropriate recognition for superannuation within the quantum of the allowance.
- c) Introduction of a loading in recognition of the workload associated with Hobart's capital city status.
- d) Concept of sitting fees be explored by the Board (in line with Perth and Darwin)
- e) Consideration be given to incentivising ongoing learning by Aldermen.
- f) Deputy Lord Mayor receive the Lord Mayor's allowance when acting in the role of Lord Mayor for an extended period.

### **Proposal**

It is proposed that in recognition of the substantial workload and time commitment that the Council consider the Deputy Lord Mayor being entitled to receive the equivalent of the allowance payable to the Lord Mayor when appointed to act in the role of Lord Mayor for a period of seven (7) consecutive days or more.

To formalise this position, an addition would need to be made to Section (I) Allowances in the Elected Members' Development and Support Policy (**Attachment A**) as follows:

*'When the Deputy Lord Mayor is appointed to act in the role of Lord Mayor for a period of seven (7) consecutive days or more, the Deputy Lord Mayor is entitled to receive, for that period, the equivalent of the allowance payable to the Lord Mayor.'*

## Consultation

In the writing of this report, advice was sought from the Director Local Government on whether the entitlement in Regulation 42(2A) of the *Local Government (General) Regulations 2015* prevents a Council developing a policy to pay a Deputy Mayor an allowance for acting as Mayor for a period of less than four consecutive weeks. The Director advised there was no barrier to that occurring. A copy of his advice is provided at **attachment B**.

## Financial implications

Should the Council endorse this proposal, an additional budget allocation of \$6,000 within the Elected Member Expenses and Allowances Budget Function of the 2024/25 Budget Estimates be made, to cover up to 28 days per annum of higher duties.

## Conclusion

This report seeks the Council's consideration to provide 'higher duties' to the Deputy Lord Mayor when acting in the role of Lord Mayor for periods of seven consecutive days or more.

The Local Government (General) Regulation 42(2A) provides for an acting period of four consecutive weeks or more.

The role of Lord Mayor is a demanding leadership role with a substantial workload and complex responsibilities that requires a significant time commitment.

The Deputy Mayor is paid an allowance in addition to that payable to them as a councillor. This is in consideration of the additional responsibilities and additional workload over and above that of councillors.

In 2018, the Tasmanian Industrial Commission conducted a Review of councillor allowances and the Council provided a submission. The submission included the suggestion that "the Deputy Lord Mayor receive the Lord Mayor's allowance when acting in the role of Lord Mayor for an extended period."

This report proposes that the Council consider the Deputy Lord Mayor being entitled to receive the equivalent of the allowance payable to the Lord Mayor when appointed to act in the role of Lord Mayor for a period of seven (7) consecutive days or more.

Should the Council agree to this proposal, an amendment would need to be made to the Elected Members' Development and Support Policy.

The Director Local Government was consulted, and his advice was that there was no barrier to the Council developing a policy to pay a Deputy Mayor an allowance for acting as Mayor for a period of less than four consecutive weeks per the Regulations.

Should this proposal be endorsed, an annual budget allocation based on the annual indexed allowances payable to elected members would need to be made. It is proposed in 2024/25 that this would be \$6,000 to cover up to 28 days per annum of higher duties.

## **RECOMMENDATION**

### **That:**


- 1. The Council endorse an amendment to section (I) Allowances in the Elected Member Development and Support Policy relating to the payment of 'higher duties' to the Deputy Lord Mayor when acting in the role of Lord Mayor for a period of seven (7) consecutive days or more, as shown in attachment A to this report.**
- 2. Subject to Council endorsement, an allocation of \$6,000 be made in the Elected Member Expenses and Allowance Budget Function for the 2024/25 financial year.**


*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 February 2024  
File Reference: F24/12413

Attachment A: Elected Member Development and Support Policy – marked up (Supporting information) 

Attachment B: Letter from Director Local Government dated 22 October 2023 (Supporting information) 

**18. RESPONSES TO QUESTIONS WITHOUT NOTICE**  
**File Ref: F24/15087**

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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.

**18.1 Planning Applications for Vacant Land**

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Memorandum of the Acting Director City Life 6 February 2024.

**18.2 Lord Mayor - Travel Reports**

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Memorandum of the Lord Mayor 6 February 2024.

**18.3 Lord Mayor Overseas Travel**

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Memorandum of the Lord Mayor 6 February 2024.

**18.4 Common Statues in Tasmania**

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Memorandum of the Director Connected City 9 February 2024.

**18.5 Integrity Commission**

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Memorandum of the Chief Executive Officer 14 February 2024.

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

- Attachment A: Planning Applications for Vacant Land (Supporting information) 
- Attachment B: Lord Mayor - Travel Reports (Supporting information) 
- Attachment C: Lord Mayor Overseas Travel (Supporting information) 
- Attachment D: Common Statues in Tasmania (Supporting information) 
- Attachment E: Integrity Commission (Supporting information) 

**19. QUESTIONS WITHOUT NOTICE**  
**File Ref: F24/15088**

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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.

## 20. 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:

- Leave of Absence
- Information of a confidential nature provided to Council on condition it is kept confidential
- Matters relating to possible litigation involving the Council
- Personal hardship of a resident or ratepayer.

The following items are listed for discussion:-

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|-------------|--|
| 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  | Outstanding Sundry Debts and Debt Write-Off as at 31 December 2023<br>LG(MP)R 15(2)(g) and (j)                     |
| Item No. 7  | City Economy Portfolio Committee<br>LG(MP)R 15(2)(i)   |
| Item No. 8  | City of Hobart Elected Member Commitments - Review<br>LG(MP)R 15(2)(g)   |
| Item No. 9  | Risk and Audit Panel - Annual Report to Council, Revised Terms of Reference and 2024 Work Plan<br>LG(MP)R 15(2)(g) |
| Item No. 10 | QUESTIONS WITHOUT NOTICE<br>LG(MP)R 15(2)(g)   |
| Item No. 11 | Questions Taken on Notice During Debate<br>LG(MP)R 15(2)(g) and (h)  |