



CITY OF HOBART

AGENDA

OPEN PORTION OF THE COUNCIL MEETING
TUESDAY, 19 MARCH 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.

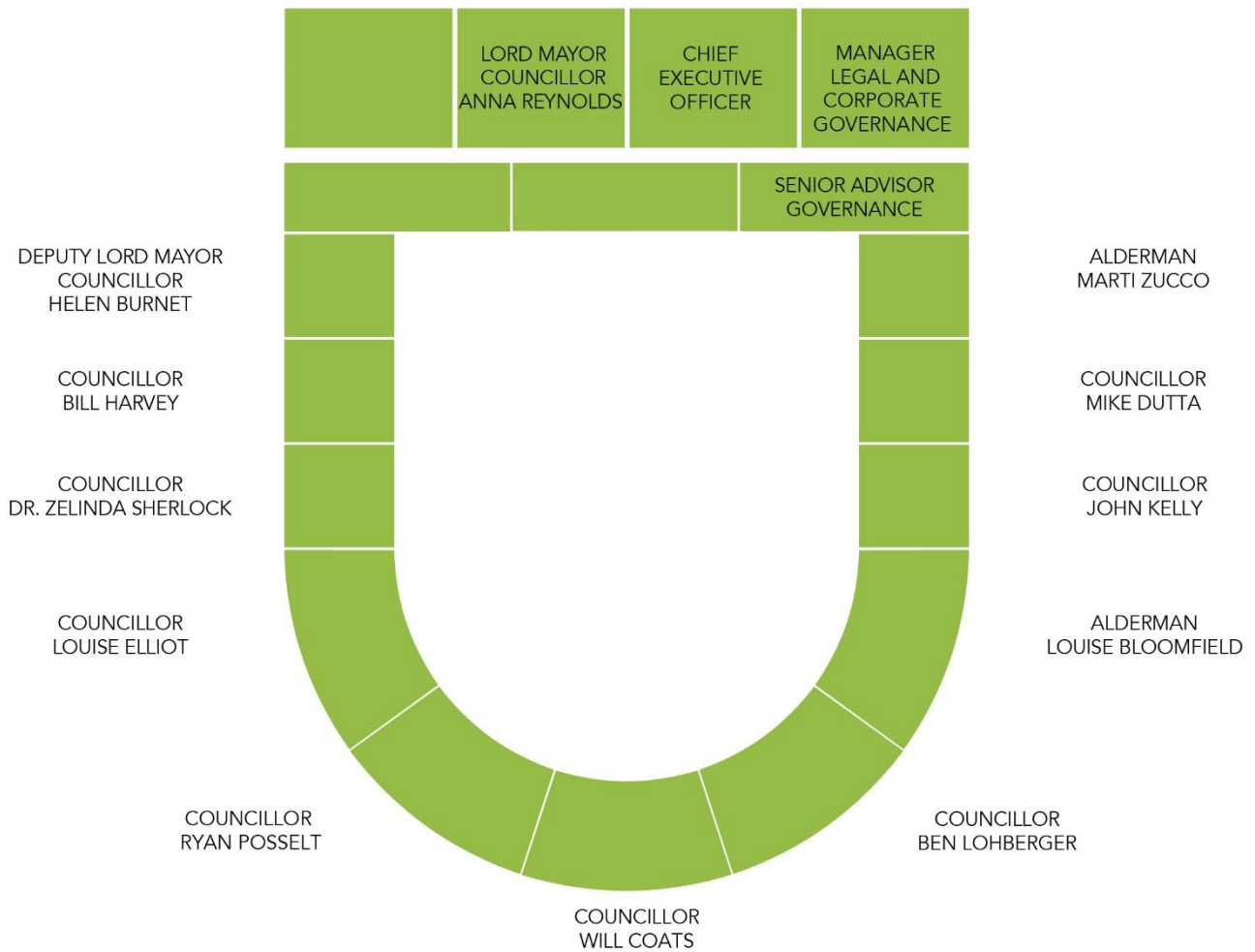
We resist mediocrity and sameness.

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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A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON TUESDAY, 19 MARCH 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:

Councillor W N S Coats

1. ACKNOWLEDGEMENT OF COUNTRY

2. CONFIRMATION OF MINUTES

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 19 February 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

3. TRANSFER OF AGENDA ITEMS

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

4. COMMUNICATION FROM THE CHAIRPERSON

5. NOTIFICATION OF COUNCIL WORKSHOPS

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

Date: Monday, 26 February 2024
Purpose: Rating and Valuation Strategy Review | Results of Annual Community Satisfaction Survey

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor H Burnet, Councillors Z Sherlock, J Kelly, L Elliot, and R Posselt.

Apologies:

Councillors B Harvey, M Dutta and B Lohberger

Leave of Absence:

Alderman L Bloomfield

Date: Monday, 4 March 2024
Purpose: Committee for Greater Hobart Workshop Presentation | Annual Plan Progress Report – period ending 31 December 2023 | E-Scooters Licensing Arrangements

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, and W Coats

Leave of Absence:

Alderman L Bloomfield

6. PUBLIC QUESTION TIME

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

6.1 Public Questions

7. PETITIONS

8. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

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

9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Elected Members are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda.

OFFICER REPORTS

**10. Assignment of Lease - Collection of Medical Artefacts (COMA) to the Maritime Museum - Semaphore Cottage, Princes Park
File Ref: F24/4458; 15/153-772**

Report of the Property Officer, the Manager Legal and Corporate Governance and the Director City Enablers of 13 March 2024 and attachments.

Delegation: Council

REPORT TITLE: ASSIGNMENT OF LEASE - COLLECTION OF MEDICAL ARTEFACTS (COMA) TO THE MARITIME MUSEUM - SEMAPHORE COTTAGE, PRINCES PARK

REPORT PROVIDED BY: Property Officer
Manager Legal and Corporate Governance
Director City Enablers

1. Report Summary

- 1.1. The purpose of this report is to consider a request for the Council to assign a lease of the Semaphore Cottage (also known as the Former Guard House and Signal Station) in Princes Park, Battery Point from the Collection of Medical Artefacts (Tasmania) (“**COMA**”) to the Maritime Museum of Tasmania (“**Maritime Museum**”).
- 1.2. A key consideration in the decision-making process is whether the Maritime Museum complies with the terms of the Council’s Leases to Non-Profit Organisations policy.

2. Key Issues

- 2.1. Whether the Council should assign the lease to the Maritime Museum.

3. Recommendation

That:

1. ***The Council agree to assign the lease dated 17 May 2022 from the Collection of Medical Artefacts (Tasmania) to the Maritime Museum of Tasmania.***
2. ***The Chief Executive Officer be authorised to finalise the terms and conditions of the agreement.***
3. ***In accordance with the Council Policy ‘Grants and Benefits Disclosure’ the benefit recognised to the Maritime Museum by way of a reduced rental as part of the lease be disclosed in the City’s Annual Report.***

4. Background

- 4.1. The Council owns the property known as the Semaphore Cottage in Princes Park, Battery Point. It is the former signal station cottage and was constructed in approximately 1880.
- 4.2. On 28 February 2022, the Council resolved to grant a lease to the Collection of Medical Artefacts (Tasmania) ("**COMA**") for a period of 5 years at a nominal rent. On 17 May 2022, the Council entered into a lease agreement with COMA, commencing on that date for a period of five (5) years. A copy of the current lease plan is contained at **Attachment A**.
- 4.3. Council officers have now been approached by the Maritime Museum with a proposal to be assigned the lease from COMA. It is understood that a key person involved in COMA has since passed away and the proposed museum at the site is unable to be operated.
- 4.4. COMA have advised that they are supportive of the assignment.
- 4.5. The proposal by the Maritime Museum is to open the Semaphore Cottage as 'regularly open and publicly accessible interpretative centre' telling the story of the cottage, the signal system more generally and Princes Park itself.
- 4.6. Following a meeting with the Maritime Museum Council officers requested it submit a formal application including details that would allow the application to be assessed under the Council's Leases to Non-Profit Organisations policy.
- 4.7. A copy of that submission is contained in **Attachment B**.

5. Legal, Risk and Legislative Considerations

- 5.1. Any legal risk associated with the proposed transaction can be mitigated by the drafting of an appropriate Deed of Assignment.
- 5.2. The drafting of this deed will be completed internally by the Council's Legal & Property team.

6. Discussion

- 6.1. The Maritime Museum's proposal represents a use of this property that is consistent with Council's previous decision, namely a publicly accessible historical museum run by a not-for-profit organisation.
- 6.2. The assignment of this lease will allow the Maritime Museum to effectively "step into the shoes" of COMA and operate the property for

the unexpired portion of the lease term originally granted by the Council.

- 6.3. There is a strong alignment with the buildings historic use and the Maritime Museum's proposed use.
- 6.4. Set out below is the officer's assessment of the proposal against each criterion of the Council's Leases to Non-Profit Organisations policy:

Criteria	Comments
Use, or proposed use of the property	Public Museum - The proposed leased area will be used as a Semaphore Museum that will be accessible by the public.
Alignment with the Council Strategic Plan and other relevant Council strategic documents	<p>The Applicant states that their use would <i>'result in the activating of a significant heritage building in a prominent historic site in central Hobart, an outcome consistent with Pillars 1 and 3 of the Capital City Strategic Plan 2019-2020.'</i></p> <p>The Application aligns with the following strategies contained in the <i>Capital City Strategic Plan 2023</i>:</p> <p>1.1.2 Create opportunities for people to connect to place and Country, supporting community activities, spiritual and cultural customs and practices.</p> <p>3.4.1 Support the activation of City-owned spaces for creative, cultural and commercial initiatives.</p> <p>7.2.6 Promote contemporary heritage conservation practices and support adaptive reuse of heritage assets.</p>
Level of community benefit – proposed or provided	<p>The Applicant proposes that their use of the Semaphore Cottage will have the following community benefit:</p> <ul style="list-style-type: none"> • <i>'The development of a new visitor attraction that links two of Hobart's most important visitor destinations (i.e., Salamanca Place and Battery Point) and contributes to city's reputation as an accessible and culturally rich place to live and visit.</i> • <i>The showcasing of the nationally significant semaphore signal system which when established was very much cutting-edge communication</i>

Criteria	Comments
	<p><i>technology.</i></p> <ul style="list-style-type: none"> • <i>Regular public access to the oldest building in Battery Point.</i> • <i>Enhanced access for visitors of all ages to the Museum's nationally significant collections.'</i>
Value of land and buildings	The property has previously been appraised as having a market rental of \$7,245 per annum (excluding GST)
Potential for alternative use	Given the location and age of the building alternative uses may be limited. Prior to the COVID-19 pandemic the cottage had been leased for use as an art/print making studio.
Viability and capability of the organisation	The Maritime Museum is a well-established organisation and a long-term tenant of the City of Hobart for its main museum at 16 Argyle St, Hobart.
Capacity to pay, after all income and expenditure is taken into account	Applicant has not directly addressed this criterion however has advised that it is a non-profit organisation that relies on volunteers. Entry fees will be nominal or by donation.
Capacity to invest in and maintain the asset, or degree of capital investment undertaken	Applicant has stated that it is prepared to meet the costs of developing and operating the new interpretative centre without requiring any additional recurrent financial support.
Type of facility	Former guard house and signal station.
Capacity to invest in the community, or level of community investment provided, through disbursement of surplus funds to local community groups, organisations or activities	Applicant has not directly addressed this criterion however has advised that it is a non-profit organisation that relies on volunteers.
Length of tenure sought	The balance of the five (5) year term originally granted by the Council, expiring on 16 May 2027 (approximately 3 years).
For lease renewals only, the level of compliance with existing lease terms and conditions	Not applicable.

7. Capital City Strategic Plan

- 7.1. Strategy 1.1.2 of the Capital City Strategic Plan is to create opportunities for people to connect to place and Country, supporting community activities, spiritual and cultural customs and practices. As this proposal seeks to assist in the interpretation of the Semaphore Cottage and the Princes Park area, it is considered that there is strong alignment with this strategy.
- 7.2. Strategy 3.4.1 of the Capital City Strategic Plan is to support the activation of City-owned spaces for creative, cultural and commercial initiatives. Given the current proposal is to have a publicly accessible museum space within a Council building not currently being utilised, it is considered that there is strong alignment with this strategy.
- 7.3. Strategy 7.2.6 is to promote contemporary heritage conservation practices and support adaptive reuse of heritage assets. This building is on the Tasmanian Heritage Register. This proposal seeks to use this asset to provide a way to engage with the public around the history of Tasmanian health, medicine and science, which strongly aligns with this strategy.

8. Financial Viability

- 8.1. Funding Source and Impact on Current Year Operating Result
 - 8.1.1. The property is currently vacant. While no income will be generated from the proposal, there is no cost for Council in approving this request.
- 8.2. Impact on Future Years' Financial Result
 - 8.2.1. There is no impact on future year's financial result.
- 8.3. Asset Related Implications
 - 8.3.1. This proposal will seek the utilisation and activation of a currently underutilised Council asset. This is a positive outcome.

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.



Andrew Topfer
PROPERTY OFFICER





Wes Young
**MANAGER LEGAL AND CORPORATE
GOVERNANCE**



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 13 March 2024
File Reference: F24/4458; 15/153-772

Attachment A: COMA Lease Area (Supporting information) 
Attachment B: Maritime Museum - Application for Assignment of COMA Lease
(Supporting information) 

11. Southern Tasmanian Badminton Centre - 101 Cascade Road - Leasing Arrangements
File Ref: F24/4087

Report of the Program Leader Sport and Recreation and the Acting Director City Futures of 13 March 2024.

Delegation: Council

**REPORT TITLE: SOUTHERN TASMANIAN BADMINTON CENTRE - 101
CASCADE ROAD - LEASING ARRANGEMENTS****REPORT PROVIDED BY:** Program Leader Sport and Recreation
Acting Director City Futures**1. Report Summary**

- 1.1. The purpose of this report is to seek Council endorsement to relinquish the current lease with the Crown over the Southern Tasmanian Badminton Centre located at 101 Cascade Road, South Hobart.
- 1.2. The Centre currently provides considerable community benefit with 1039 registered members and 550 school aged children visiting the centre for high school and college rosters.
- 1.3. Whilst Badminton is the primary activity undertaken at the Centre it is also used for the emerging sport of pickleball on the courts as well as fencing, dancing, Jiu Jitsu, yoga, and Pilates in the hall.
- 1.4. Badminton is reportedly the second most popular played sport in the world, with participation increasing in Hobart. With the increase in immigration the popularity of the sport in Asian countries it is likely to see continued increases in participation.

2. Key Issues

- 2.1. The Southern Tasmanian Badminton Centre is located on land owned by the Crown but currently leased to Council for a period of 99 years expiring in 2068.
- 2.2. Despite the Southern Tasmanian Badminton Association (STBA) occupying the Centre since 1963 and having an approved sub-lease since that time until 2001 the Crown have advised that sub-leasing is not permitted under the current lease.
- 2.3. In order for the STBA to continue to operate the Centre a number of options have been explored with Crown officers.
 - 2.3.1 Officers are recommending relinquishing the lease of the Centre with the Crown.
- 2.4. The current lease agreement exposes Council to possible liabilities with regard to the ageing infrastructure on the site and is a challenge administratively due to the requirement to seek Crown approvals for any sublease arrangement that maybe being pursued by the main tenant.

3. Recommendation

That:

- 1. The Council write to the Crown to request termination of the current lease agreement over the Southern Tasmanian Badminton Centre, 101 Cascade Road, South Hobart.***
- 2. The Council advise the Southern Tasmanian Badminton Association of its plan to terminate the lease.***

4. Background

- 4.1. The Southern Tasmanian Badminton Centre is located at 101 Cascade Road, South Hobart.
 - 4.1.1. The Centre is built on top of the foundations of one of the City's very early water reservoirs, and parts of the original reservoir wall are still intact.
- 4.2. The Centre is located on Crown land, leased to the City on a 99-year lease (until 2068) and subleased to the Southern Tasmanian Badminton Association.
 - 4.2.1. The rental paid by the STBA to the City is \$1 per annum if demanded.
 - 4.2.2. The Association is an excellent tenant who has maintained the property to a high standard and invested heavily into the premises over many years.
- 4.3. The Council considered a report at its meeting held on 18 June 2018 to consider a lease of the Centre where it was resolved, in part:
 - '... 4. *The Council approve an extension to the sublease with the Southern Tasmanian Badminton Association for a period of ten (10) years, with three (3) further ten (10) year options, from the expiry of the current lease in 2024.*
 - (i) *The General Manager be authorised to negotiate final terms of the extended lease.....'*
- 4.4. Prior to developing the report which provided this resolution, officers communicated with Crown staff where numerous options were explored including the potential for transfer of the land to Council ownership.
- 4.5. Following Council approval for the lease extension a draft lease agreement was provided to the STBA, however due to a number of changes in management and at board level the agreement was not signed and returned.
- 4.6. In June 2023 the City became aware of a proposed change in operation to the Badminton Shop within the Centre and contacted the STBA to advise that approval was required from the City to alter the sublease. A subsequent request for this change was received from the STBA.
- 4.7. The City then wrote to the Crown requesting approval for the new sublease and a response was provided that the current lease between the Crown and Council did not allow any sub-leasing, including from Council to the STBA.

- 4.8. It was noted a previous sublease had been approved by Crown to sublease the Centre to the STBA between 1963 and 2001. There has been no approved sub-lease from Crown since this time, despite Council providing a lease to the STBA.
- 4.9. Records indicate a letter was sent to the Crown in 2000 requesting approval for this sub-lease, however, there is no record of any formal approval being granted. It is not clear whether the Crown was fully aware that STBA was operating the Centre.
- 4.10. There have been numerous discussions between officers and the Crown since this time on how to resolve this matter, with the following options explored:
 - 4.10.1. Further request to the Crown to approve the sublease to the STBA – the Crown has advised it will not consider this option.
 - 4.10.2. Transfer of land from Crown to Council ownership – the Crown has advised it will not consider this option.
 - 4.10.3. Relinquish the current lease with a new lease to Council and an approved sublease to the STBA – the Crown has advised that it would be willing to recommend to the Minister a new ten (10) year lease with a further three (3) ten (10) year options and would make the lease conditional that a sub-lease be provided to the STBA.
 - 4.10.4. Relinquish the current lease with Crown to consider a direct lease with the STBA – the Crown has advised that it is willing to accept this option, however any lease directly to the STBA will incur a charge of 1% of the land value to lessee which would mean a current rental of \$6,250 per annum.
 - 4.10.5. The Council commence operation of the Centre. This is not considered a practical option.
- 4.11. The report has considered all options and is recommending that the lease with Crown be relinquished, allowing Crown to lease directly to the STBA.
- 4.12. The STBA has been advised of the recommendation, and whilst it has expressed a preference for the current arrangements to remain in place, it respects the proposed City of Hobart position on this matter.
- 4.13. The STBA is aware of the rental likely to be charged by the Crown and has advised it can budget for the rental by review of financial policy, which may mean a review of membership fees.
- 4.14. The current agreement, and likely any proposed agreement will transfer significant risk to Council for the site. There is some risk with the building due to its age (60 years old) and the unknown quality of the initial construction. There has been some cracking noted in sections of

the building which has been assessed and although it is not a considered a risk now, it could develop to the point where considerable expenditure is required to rectify the failure.

5. Legal, Risk and Legislative Considerations

- 5.1. Should Council approve the recommendation a letter will be sent to Crown to request the termination.
- 5.2. The resolution reduces the City's risk with regard to the property and the future need for significant investment into a site it does not own.
- 5.3. There is some risk to the STBA who will be charged a rental as noted above by the Crown which is subject to the property value of the site.

6. Discussion

- 6.1. The report is proposing that the City write to the Crown and request termination of the current lease with the Crown.
- 6.2. This option would remove Council completely from the arrangement so costs incurred for building replacement will then be the responsibility of the Crown.
- 6.3. The Crown would charge a rental to the STBA, which would be \$6,250 however would fluctuate in the future as it is based on 1% of the land value.
- 6.4. The STBA has advised that if this option were to eventuate the Association could cover the rental costs, however, it would mean that the funding would not be invested back into the sport.

7. Capital City Strategic Plan

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

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

8. Financial Viability

- 8.1. Funding Source and Impact on Current Year Operating Result
 - 8.1.1. Should the proposal be approved, there will only be a negligible decrease in income of the current financial year.
- 8.2. Impact on Future Years' Financial Result
 - 8.2.1. Should the proposal be approved, there will only be a negligible decrease in income of the future financial years.
- 8.3. Asset Related Implications

- 8.3.1. The lease agreement with the Crown will likely make the City responsible for building asset replacement works within the leased area.
- 8.3.2. Maintenance would be the responsibility of the STBA under the sublease.

9. Community Engagement

- 9.1. Pursuant to Sections 179 and Sections 178 of the *Local Government Act 1993*, community consultation would be undertaken in accordance with the Act, as listed below:
 - 9.1.1. Notification in the Mercury on at least two separate occasions.
 - 9.1.2. Display of the notification onsite.
- 9.2. The notifications to advise the public that any objections to the proposed lease may be made to the City within 21 days of the date of the first publication.

10. Collaboration

- 10.1. External collaboration has been undertaken with Crown Land Services and the STBA.
- 10.2. Internal collaboration has occurred with the Legal Services Officer.

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

Shannon Avery
PROGRAM LEADER SPORT AND RECREATION

Philip Holliday
ACTING DIRECTOR CITY FUTURES

Date: 13 March 2024
File Reference: F24/4087

12. Annual Plan Progress Report for the period ending 31 December 2023
File Ref: F24/17321

Report of the Senior Advisor - Strategic Planning and Acting Head of Intergovernmental Relations & Partnerships of 13 March 2024 and attachment.

Delegation: Council

REPORT TITLE: ANNUAL PLAN PROGRESS REPORT FOR THE PERIOD ENDING 31 DECEMBER 2023**REPORT PROVIDED BY:** Senior Advisor - Strategic Planning
Acting Head of Intergovernmental Relations & Partnerships**1. Report Summary**

1.1. The purpose of this report is to present the progress report for the City of Hobart's 2023-24 Annual Plan for the period ended 31 December 2023. (Refer **Attachment A**).

2. Key Issues

2.1. The Annual Plan is developed as part of the annual budget and sets out the major actions and initiatives for the 2023-24 financial year. Actions in the Annual Plan must be aligned with the City's Strategic Plan.

2.1.1. Reports on the progress of the Annual Plan are provided each quarter to the Council for noting.

2.2. The 2023-24 Annual Plan has 83 major actions and initiatives listed. Implementation for the period 1 October to 31 December 2023 has seen 19 per cent of major actions and initiatives completed, 54 per cent are in progress and on track, 24 per cent in progress but there is some delay and 3 per cent are on hold.

3. Recommendation

That the Council note the 2023-24 Annual Plan Progress Report for the period ending 31 December 2023, marked as Attachment A to this report.

4. Background

4.1. The Annual Plan is required pursuant to Section 71 of the *Local Government Act 1993*. It is adopted by Council with the budget estimates and other budget papers. The Annual Plan sets out the major actions and initiatives that will guide the priorities of the organisation over the coming 12 months and must include a summary of the budget estimates.

4.1.1. The 2023-24 Annual Plan includes actions that are planning for the future of Hobart to ensure long-term, transformative growth, the enhancement of community facilities and the development of some key strategies.

5. Legal, Risk and Legislative Considerations

- 5.1. The Annual Plan is prepared in accordance with section 71 of the *Local Government Act 1993* and must be summarised in the Annual Report (section 72(1)(a) of the Act).

6. Discussion

- 6.1. The progress report provided at **Attachment A**, reports on the progress of the Annual Plan major actions and initiative for the period 1 October to 31 December 2023.

- 6.1.1. The 2023-24 Annual Plan has 83 major actions and initiatives listed. Implementation for the period 1 October to 31 December 2023 has seen 19 per cent of major actions and initiatives completed, 54 per cent are in progress and on track, 24 per cent in progress but there is some delay and 3 per cent are on hold.

7. Capital City Strategic Plan

- 7.1. The Annual Plan progress report provides a summary of the progress of the major actions and initiatives in the Annual Plan and aligns with various strategies in the Capital City Strategic Plan 2023 including best practice, transparency and accountability to the community.

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




Paula Gudgeon
**SENIOR ADVISOR - STRATEGIC
PLANNING**



Laura Eaton
**ACTING HEAD OF
INTERGOVERNMENTAL RELATIONS
& PARTNERSHIPS**

Date: 13 March 2024
File Reference: F24/17321

Attachment A: 2023-24 Annual Progress Report for the period ending 31 December 2023 (Supporting information) 

13. Revised Financial Hardship Assistance Policy and Rates SMS Reminder Service
File Ref: F24/20858

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

Delegation: Council

**REPORT TITLE: REVISED FINANCIAL HARDSHIP ASSISTANCE
POLICY AND RATES SMS REMINDER SERVICE****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 the City's Financial Hardship Assistance Policy for the approval of Council, which is part of the City's review of its rating and valuation strategy.
- 1.2. This report will also put forward a proposal to introduce a SMS notification service to remind ratepayers when rates instalments are due on an opt-in basis.
- 1.3. 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 consideration of whether support measures for those with least capacity to pay are sufficient will be considered, which is integral to the City's rates and charges policy.
- 2.3. At its February 2024 meeting, the Council considered the outcomes of a review of the Council's other rates policy positions relating to:
 - 2.3.1. Service rates and charges including funding models for waste management services.
 - 2.3.2. Payment due dates and payment options, including discounts for early payment of rates.
 - 2.3.3. Debt management and late payment fees; and
 - 2.3.4. Rebates, remissions and discounts including Council's contribution to the State Government pensioner remission scheme.
- 2.4. Decisions from the review of the City's rates policies 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.
- 2.5. It is proposed that Council approves the amendments to the City's Financial Hardship Assistance Policy and endorses the commencement

of an opt-in SMS notification service to remind ratepayers of upcoming instalments.

- 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. *Endorse the amended Council Policy – Financial Hardship Assistance Policy, marked as Attachment A to this report.***
- 2. *Endorse the introduction of a SMS notification service to remind ratepayers when rates instalments are due, on an opt-in basis.***
- 3. *Develop and implement an appropriate communications plan to ensure ratepayers are made aware of the new free SMS rates instalment reminder service.***

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. As part of the Review, at its meeting on 19 February 2024, Council considered:
- 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;

and resolved that the Council:

Continues to fund stormwater removal services by way of a service rate pursuant to s93 of the Local Government Act 1993 (Tas).

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).

Endorse the amended Council Policy – Rate Remissions Service Rates and Charges.

Continues to offer payment of rates by instalment and makes no change to its payment due dates, being:

15 August

15 November

15 February

15 April

Resolves to continue to not offer ratepayers a discount on rates paid early or in full by the first instalment.

Continues to charge 3 per cent penalty and the prescribed interest rate on unpaid rates.

Endorse the amended Council Policy – Collection of Rates Arrears,

Endorse minor amendments to the Council Policy – Rates Exemption Charitable Purposes.

Ceases the \$10 contribution to the pensioner rates discount with the \$30,000 cost to be reallocated and considered as part of the 2024-25 Budget development process.

Endorse the amended Council Policy – Pensioner Rates Remissions.

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.

- 4.8. Council has also resolved that part of the Review will consider and include whether support measures for those with least capacity to pay are sufficient.
- 4.9. Council has a Financial Hardship Assistance Policy, which is also referenced in the City's Rates and Charges Policy. It provides support to those ratepayers who are in financial hardship and unable to meet rate payment obligations. A review of this policy has been undertaken.
- 4.10. It is proposed that Council approve the amendments to the City's Financial Hardship Assistance Policy and endorse the introduction of a SMS notification service for rates instalments.
- 4.11. 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 – Financial Hardship Assistance Policy

- 6.1. As well as pensioner discounts, rates rebates and charitable and other rates remissions, the City has a Financial Hardship Assistance Policy to provide support to ratepayers experiencing genuine and serious financial hardship and needing assistance meeting rate payment obligations. It was first introduced at the start of the COVID-19 pandemic.
- 6.2. The Policy provides a range of support measures including the deferral of rates (postponements), payment arrangements and penalty and interest remissions.
- 6.3. Ratepayers experiencing genuine and serious financial hardship can apply for financial hardship assistance and are required to provide evidence of financial hardship to qualify for the support measures available.
- 6.4. The City's Financial Hardship Assistance Policy has been reviewed and minor amendments proposed. References to specific requirements relating only to COVID-19 have been removed, while still maintaining the required evidence requirements for all property types.
- 6.5. It is considered that this Policy remains an important support mechanism for those ratepayers experiencing serious financial hardship

and needing assistance to meet both their basic needs and their rates payment obligations to Council.

- 6.6. Rates are a form of property tax and therefore the City's rates policies should align with principles of taxation including capacity to pay.
- 6.7. It is proposed that Council approve the minor amendments to its Policy – Financial Hardship Assistance, refer **Attachment A**.

7. Discussion – Opt-in SMS Rates Instalment Notification Service

- 7.1. It is proposed that Council introduces an opt-in SMS reminder service for rates instalments from 1 July 2024 for the 2024-25 rating year and onwards to assist ratepayers.
- 7.2. It is proposed that this is a free service to ratepayers who wish to opt-in to receive a SMS reminder when a Rates instalment is due.
- 7.3. Due to privacy, the City will need ratepayers to register for the Rates SMS reminder service. It is proposed that a registration form is made available from the City's website in the rates section to apply online, to download, complete and return or is available to be sent to the ratepayer to complete and return.
- 7.4. The City has received enquiries from ratepayers asking if this service is available as a reminder of when rates instalments are due. The City already sends an instalment notice 30 days before a rates instalment is due. However, it would be beneficial for those ratepayers who would like to use this service, to receive a reminder closer to the instalment due date.
- 7.5. This will assist ratepayers to pay by the instalment due date and avoid late payment penalty and interest fees on overdue instalments.
- 7.6. Other councils in Tasmania and interstate provide this type of service to ratepayers through an opt-in / registration process. Ratepayers will be able to opt out of the service at any time.
- 7.7. This is a service offered by the City's existing provider for rate notice print and distribution service and is therefore cost effective to implement. The City's provider has appropriate cybersecurity arrangements in place to ensure that ratepayer information is secure and it is hosted in Australia.

8. Capital City Strategic Plan

- 8.1. 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.

9. Financial Viability

9.1. Funding Source and Impact on Current Year Operating Result

9.1.1. 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.

9.2. Impact on Future Years' Financial Result

9.2.1. There is a small fee (a number of cents) to the City for each individual SMS sent. The exact impact on the future year's financial result will be unknown as it will be based on the number of ratepayers who opt-in to receive the service from Council.

9.3. Asset Related Implications

9.3.1. Not applicable.

10. Community Engagement

10.1. The City has received enquiries from ratepayers as to whether this service is available.

10.2. More generally, extensive community engagement was undertaken from 29 November 2023 to 2 February 2024 on various options for the City's rating system as part of the Rating and Valuation Strategy Review.

10.3. Feedback from the community engagement will inform the development of the City's new Rating and Valuation Strategy.

11. Communications Strategy

11.1. It is proposed that if approved, the new free SMS reminder service be communicated broadly to the City's ratepayers.

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

11.3. 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: 13 March 2024
File Reference: F24/20858

Attachment A: Revised Council Policy - Financial Hardship Assistance Policy
(Supporting information) 

14. Salamanca Place Amplified Music Trial 2024 - Update
File Ref: F24/23510; 16/119

Report of the Acting Director City Life of 13 March 2024 and attachment.

Delegation: Council

**REPORT TITLE: SALAMANCA PLACE AMPLIFIED MUSIC TRIAL 2024
- UPDATE****REPORT PROVIDED BY:** Acting Director City Life**1. Report Summary**

- 1.1. A resolution was passed at the Council meeting on 29 January 2024 to support a live music trial at Salamanca Place.
- 1.2. This report provides an update on the commencement of that trial.

2. Key Issues

- 2.1. The trial began on 18 February 2024 and the Tasmanian Hospitality Association has acknowledged that it has the potential to benefit the Salamanca area.
- 2.2. Venue operators have been requested to engage with each other in terms of programming to minimise the potential for conflict, particularly between adjacent venues. No concerns have been raised about this process.

3. Recommendation

That Council note the update provided in the report titled Salamanca Place Amplified Music Trial 2024 - Update.

4. Background

4.1. A resolution was passed at the Council meeting on 29 January 2024, as follows:

1. *That the Hobart City Council consider trialling live amplified music in the designated and existing outdoor occupation licence dining areas across Salamanca Place from midday to 8pm on Sundays for a trial period of 12 months.*
2. *That all venues participating in the trial must adhere to any noise/sound levels that are imposed as per conditions.*
3. *That the Acting CEO be provided delegated authority to consult with relevant traders, the Sullivans Cove Traders Association, the THA, Battery Point Community Association and relevant stakeholders to develop a management plan for the trial and report back to Council by February 19th, 2024.*
4. *That any required or relevant amendments to existing occupation licences form part of the council report.*
5. *That once implemented a report be provided back to Council within 12 months of implementation for consideration as per the trial outcomes.*

4.2. This report provides an update on the commencement of the trial.

5. Legal, Risk and Legislative Considerations

5.1. Use of Council land by private businesses is regulated under the *Public Spaces By-Law No. 4 of 2018* through occupation licences.

6. Discussion

6.1. On 16 February 2024, correspondence was sent by email to the 13 venue operators to notify them of the ability to commence the trial, subject to conditions. A copy of that document is at **Attachment A**.

Time period

6.2. The trial will run for 12 months, commencing on 18 February 2024.

Noise levels

6.3. Rather than impose specific sound or noise levels, we have required that the music must be played in a way that does not constitute an environmental nuisance under the legislation that controls noise. This is hoped to provide some flexibility to the venue operators, while ensuring

that surrounding property owners are not impacted unreasonably. Directions from Council officers must still be complied with, as required by the existing occupancy permits.

Management plan & engagement

- 6.4. Venue operators have been requested to engage with each other in terms of programming to minimise the potential for scheduling clashes, particularly between adjacent venues. No concerns have been raised about this process.
- 6.5. In terms of engagement, the Tasmanian Hospitality Association is supportive of the trial. We reached out to the Sullivans Cove Traders Association and while this organisation does still exist, it no longer has any members. Engagement with the Battery Point Community Association will be undertaken in the near future. None of the venue operators have raised any concerns about the terms of the trial in response to our correspondence dated 16 February 2024.

Occupancy licences

- 6.6. In a formal sense, the occupancy licences will need to be updated. Informally, the trial has commenced as authorised by the correspondence dated 16 February 2024 and no venue operator will be considered to be in breach of their occupancy licence so long as they adhere to those additional conditions.

Report on trial

- 6.7. A report on the trial will be provided at the conclusion of the 12-month period. The measures of success of the trial are anticipated to be:
- 6.7.1. a self-assessment provided by venue operators;
 - 6.7.2. any feedback from the community; and
 - 6.7.3. any complaints that are received from venue operators, surrounding properties or other members of the community.

7. Capital City Strategic Plan

- 7.1. The following from the Community Vision For Our Capital Island Capital and the Capital City Strategic Plan are relevant:

Pillar: 3 We are a city connected, embracing our diverse communities in cultural expression and creative and artistic participation; a city that enhances our homes, lifestyles and heritage; a city that bravely puts its people first.

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

Strategy: 3.4.2: Activate public spaces and venues, to benefit the community and business sector through changes to infrastructure, public art, performances events, festivals and markets.

Pillar: 8 We are a city of ethics and integrity. We govern with transparency and accountability, encouraging and welcoming active civic involvement. We collaborate for the collective good, working together to create a successful Hobart.

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

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

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

8.1.1. In the response to the motion, the potential for financial impact was noted. To date, there has been some time spent by officers during their normal hours, with no overtime incurred.

8.2. Impact on Future Years' Financial Result

8.2.1. There are no significant impacts expected from the trial in future years.

8.3. Asset Related Implications

8.3.1. Not relevant.

9. Communications Strategy

9.1. A communications strategy has been developed for the 12 month period to ensure that the public are aware of the trial and visitation to the Salamanca area is promoted, particularly during the winter months.

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



Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 13 March 2024
File Reference: F24/23510; 16/119

Attachment A: Correspondence to Salamanca Place venue operators dated 16 February 2024 (Supporting information) 

15. City of Hobart Rate Postponements Policy - Rescind
File Ref: F24/21128

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

Delegation: Council

**REPORT TITLE: CITY OF HOBART RATE POSTPONEMENTS POLICY
- RESCIND****REPORT PROVIDED BY:** Manager Rates, Procurement and Risk
Director City Enablers**1. Report Summary**

- 1.1. The purpose of this report is to present a proposal to rescind the Council Policy - Rate Postponements (the Policy).
- 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 as part of the Review consideration of Council's rates policies would be included. Some were considered at the February 2024 Council meeting and a further report is included on the March 2024 Open Council agenda to consider the remaining policies, noting that the City of Hobart Rates and Charges Policy will be reviewed and considered by Council following the Council's approval of its new Rating and Valuation Strategy.
- 2.3. Decisions from the review of the City's rates policies 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.
- 2.4. As part of its suite of rates policies, the Council has a Policy – Rate Postponements. The Policy is aged, costly to administer, the City has not received a new application under this Policy for at least a decade and forestalling rate payments on an indefinite basis is considered unfair and not in line with the principles of taxation.
- 2.5. There are other commercial loan mechanisms available to ratepayers outside of Council and the City has an existing Financial Hardship Assistance Policy, which has a range of support measures for those who are experiencing genuine financial hardship including temporary postponements penalty and interest free, payment arrangements penalty and interest free and remissions of penalty and interest.
- 2.6. It is therefore proposed that the Policy be rescinded.

3. **Recommendation**

That the Council rescind the City of Hobart Policy – Rate Postponements, marked as Attachment B to this report, to be replaced by the existing City of Hobart Financial Hardship Assistance Policy, marked as Attachment A to this report.

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. As part of the Review, at its meeting on 19 February 2024, Council approved a number of its existing rates policies, including for:
 - 4.3.1. Service rates and charges including funding models for waste management services;
 - 4.3.2. Payment due dates and payment options, including discounts for early payment of rates;
 - 4.3.3. Debt management and late payment fees;
 - 4.3.4. Rebates, remissions and discounts including Council's contribution to the State Government pensioner remission scheme;

and resolved that the Council:

Continues to fund stormwater removal services by way of a service rate pursuant to s93 of the Local Government Act 1993 (Tas).

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).

Endorse the amended Council Policy – Rate Remissions Service Rates and Charges.

Continues to offer payment of rates by instalment and makes no change to its payment due dates, being:

15 August

15 November

15 February

15 April

Resolves to continue to not offer ratepayers a discount on rates paid early or in full by the first instalment.

Continues to charge 3 per cent penalty and the prescribed interest rate on unpaid rates.

Endorse the amended Council Policy – Collection of Rates Arrears,

Endorse minor amendments to the Council Policy – Rates Exemption Charitable Purposes.

Ceases the \$10 contribution to the pensioner rates discount with the \$30,000 cost to be reallocated and considered as part of the 2024-25 Budget development process.

Endorse the amended Council Policy – Pensioner Rates Remissions.

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.

- 4.4. Council has also resolved that part of the Review will consider and include whether support measures for those with least capacity to pay are sufficient.
- 4.5. Council has two rates policies designed to provide support for those ratepayers in financial hardship and having difficulty meeting rate payment obligations, as follows:
 - 4.5.1. Financial Hardship Assistance Policy (revised draft*) – refer **Attachment A**; and
 - 4.5.2. Rate Postponements Policy – refer **Attachment B**.
- 4.6. *It should be noted that as part of the Review, a review of the Financial Hardship Assistance Policy has been undertaken and a report recommending approval of the revised policy is included on the open portion of the Council's March 2024 meeting agenda.
- 4.7. 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)* (the Act) sets out the provisions for rates and charges. It is noted that pursuant to Section 86A of the 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. Section 125 of the Local Government Act 1993 (Tas), states that a ratepayer may apply to the council for a postponement of payment of rates on the grounds of hardship. An application is to be made in writing and lodged with the general manager.
- 5.3. Section 126 of the the Act states that:
- (1) A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.*
- (2) A council may grant a postponement of payment of rates –*
- (a) on the condition that the ratepayer pay interest on the amount of rates postponed at a rate fixed by the council; and*
- (b) on any other condition the council determines.*
- (3) Interest fixed under subsection (2) (a) is not to exceed the prescribed percentage as calculated in section 128 (2) .*
- 5.4. Pursuant to s127 of the the Act:
- (1) A council may, at any time, revoke a postponement of payment of rates by giving 60 days' notice in writing to the ratepayer of the date on which the postponement ceases to operate.*
- (2) A postponement of payment of rates ceases to operate on the date on which the ratepayer ceases to own or occupy the land in respect of which those rates are payable.*
- 5.5. Council is also not reducing support to eligible pensioners in rescinding this Policy. The support available under the Financial Hardship Assistance Policy coupled with the pensioner discount is considered appropriate and provides a range of support measures including postponed rates, payments arrangements and penalty and interest remissions.

6. Discussion

- 6.1. Pursuant to section 125 and 126 of the the Act, the Council can grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship. The Council adopted its rate postponements policy in 1994 and it only applies to eligible pensioners.

- 6.2. The Policy states that eligible pensioners can obtain a 50% postponement of rates subject to 5% interest charged per annum for the lifetime of the applicant. The postponed amount together with all interest charges must be paid in full when the property is either sold or upon the passing of the owner.
- 6.3. This is different to the temporary deferral of rates (postponements) included in the Financial Hardship Assistance Policy, which is mirrored in the Council Policy – Rate Postponements. During COVID-19 the Council Policy – Rate Postponements was amended to include both temporary deferral and lifetime rate postponements.
- 6.4. These types of rate postponements are effectively a commercial loan arrangement at 5% interest for pensioners.
- 6.5. It is noted that there are other commercial loan mechanisms available to ratepayers outside of Council and the City has an existing Financial Hardship Assistance Policy, which has a range of support measures for those who are experiencing genuine financial hardship including temporary postponements penalty and interest free, payment arrangements penalty and interest free and remissions of penalty and interest.
- 6.6. It is also noted that the City has only received one enquiry about these types of postponements in the last decade and no applications for these types of rate postponements since 1998.
- 6.7. Administering and reporting the small number of postponements under this policy is costly for the City and requires manual processes.
- 6.8. The Policy is also confusing (as it references postponement types pre and post COVID-19), and in parts replicates the policy position in the Financial Hardship Assistance Policy.
- 6.9. Not all councils offer long-term postponed rates as a mechanism to assist ratepayers in financial hardship. Some councils consider forestalling rate payments on an indefinite basis is unfair and not in line with the principles of taxation.
- 6.10. City of Launceston, as an example, does not offer this long-term debt management facility as there are other commercial facilities that should be used in these circumstances.
- 6.11. It is therefore proposed that the Council Policy – Rate Postponements be rescinded as at 30 June 2024 and rate postponements for pensioners, being 50% of rates at 5% interest for the lifetime of the applicant, is no longer offered by the City as part of its financial hardship assistance to ratepayers. In doing so it is not proposed that the City call in the postponed amount, rather that it remains as a secured debt on the property and continues to show on rate notices for the life of the applicant or until the property is sold.

- 6.12. For the four ratepayers currently receiving ongoing rate postponements under this policy, it is proposed that these ratepayers be contacted and asked to complete a financial hardship assistance application under the City's Financial Hardship Assistance Policy and appropriate assistance provided, which can include temporary postponement of rates to be reviewed every twelve months.
- 6.13. It is considered that the assistance under the City's Financial Hardship Assistance Policy, which does offer temporary postponements (deferral of rates) is sufficient to support those ratepayers experiencing genuine financial hardship.

7. Capital City Strategic Plan

- 7.1. 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.

8. Financial Viability

- 8.1. Funding Source and Impact on Current Year Operating Result
- 8.1.1. There is no impact on the current year operating result from the proposals in this report.
- 8.2. Impact on Future Years' Financial Result
- 8.2.1. There is no impact on future years financial result. Postponed rate debts are not regarded as overdue. They are a secure debt and will remain on the properties until the passing of the owner or the property is sold.
- 8.2.2. It is considered that there will be administrative savings in rescinding the Rate Postponement Council policy as all applications for financial hardship assistance will be processed under the same process and policy, being the City of Hobart Financial Hardship Assistance Policy.
- 8.3. Asset Related Implications
- 8.3.1. Not applicable.

9. Communications Strategy

- 9.1. It is proposed that the City write to the four ratepayers currently in receipt of an ongoing rates postponement under the Council Policy – Rate Postponements redirecting them to the City of Hobart Financial Hardship Assistance Policy and application process for ongoing support.

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 March 2024
File Reference: F24/21128

- Attachment A: City of Hobart Financial Hardship Assistance Policy - revised draft (Supporting information) 
- Attachment B: City of Hobart Rate Postponements Policy (Supporting information) 

16. Potential Disposal of Part of Selfs Point (Land)
File Ref: F24/20951

Report of the Manager Legal and Corporate Governance and the Acting Director City Futures of 14 March 2024 and attachments.

Delegation: Council

REPORT TITLE: POTENTIAL DISPOSAL OF PART OF SELFS POINT (LAND)**REPORT PROVIDED BY:** Manager Legal and Corporate Governance
Acting Director City Futures**1. Report Summary**

1.1. The purpose of this report is to consider an offer made by TasWater for the potential sale of part of the Council's property land known as the New Town Wetlands enclosed in blue on the plan in **Attachment A** ("Property") for \$1,310,000.00 plus the Council's costs for relocating its depot from the site costed at \$50,668.02.

2. Key Issues

2.1. Whether the Council should accept the offer for the disposal of the Property.

3. Recommendation

That:

1. ***The Council resolve to sell the property enclosed in blue on the plan in Attachment A to the Tasmanian Water & Sewerage Corporation Pty Ltd ("TasWater") for the sum of \$1,360,668.02;***
2. ***The Chief Executive Officer be delegated the authority to:***
 - (i) ***negotiate and finalise the terms of the contract for sale; and***
 - (ii) ***undertake the statutory consultation process prescribed by section 178 of the Local Government Act 1993 (Tas)("Act"), being:***
 - (a) ***to publish its intention to sell the land on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and***
 - (b) ***display a copy of the notice on any boundary of the public land that abuts a highway; and***
 - (c) ***notify the public that an objection to the proposed sale, lease, donation, exchange or disposal may be made to the Chief Executive Officer ("CEO") within 21 days of the date of the first publication, should TasWater not compulsorily acquire the Property under the terms of the Land Acquisitions Act 1993 (Tas); and***

3. ***should the Council be required to undertake the consultation process described in point 2(ii) above, that the sale of the Property be conditional on the Council not receiving any objection under section 178(4) of the Act or an appeal of the decision to sell the Property under section 178 of the Act; and***

4. Background

- 4.1. In its meeting of 25 November 2013 the Council resolved to delegate the authority to the General Manager (as they were then known) to commence negotiations with TasWater for the potential sale of the Property.
- 4.2. A copy of that report and the detailed background of the Property is contained in **Attachment B**.
- 4.3. Since this time Council Officers have been engaged with TasWater in investigating a potential transaction for the sale of the Property in order to facilitate the upgrade of the adjacent Selfs Point Sewerage Treatment Plant.
- 4.4. The feasibility of the transaction has been condition upon TasWater assessing the suitability of the site for the expanded Sewerage Treatment Plant in tandem with the planned decommissioning of the plant situated at Macquarie Point.
- 4.5. This process has largely been driven by TasWater and, until late 2021, there had been no material discussions about a potential transaction.
- 4.6. Following a number of meetings with the relevant stakeholders within TasWater, in 2022 Council Officers obtained a market valuation which appraised the Wetlands as being worth \$847,000.00.
- 4.7. It was noted in that valuation that the known contamination issues with the Property were not taken into consideration as the costs associated with any required remediation works had not been estimated at this stage.
- 4.8. This assumption means that it is reasonable to assume the reported value is higher than what would be achieved on the open market.
- 4.9. It was further noted that the appraisal was for pre-sale advice purposes only and the amount was not recommended as an initial asking price by the Council.
- 4.10. To that end, Council Officers subsequently obtained written commercial advice from its real estate agents, Devine Property, who recommended

the Council commence negotiations at a higher amount with an aim to settle within the market range.

- 4.11. Council Officers subsequently obtained an updated valuation incorporating this commercial advice and the revised site plans provided by TasWater which assessed the Property as being worth \$1,310,000.00.
- 4.12. Following extensive negotiations, TasWater has made a final offer for the Property of \$1,310,000.00. In addition to the purchase price, Council Officers have also secured TasWater's agreement to reimburse the Council for all of its costs associated with relocating its operations from the site. This amounted to an additional sum of \$50,668.02.
- 4.13. The total in-principle agreement reached between the parties is for the sale of the property at a price of \$1,360,668.02.
- 4.14. This offer has exceeded Council Officer expectations.
- 4.15. The Property does not serve any strategic purpose, and the Council has previously endorsed investigating the disposal of the disused wetlands area.
- 4.16. Further, the Self's Point and and Cornelian Bay Masterplan has recommended that a 2013 review of the disused demonstration wetlands be updated, with the preferred solution for this area being the disposal of the wetlands site through a sale transfer to TasWater to facilitate the upgrade of the sewerage treatment plant.
- 4.17. The Masterplan also recommends that the City retains areas for enhancement and maintenance of buffer zones and screen vegetation for the maintenance of community enjoyment of the reserve.
 - 4.17.1. To achieve this intent, the majority of the buffer zones for the treatment plant have been incorporated in the land parcel proposed for sale transfer to TasWater. This includes an access road and a vegetation strip (of approximately three metres) between the road and the boundary side fences where the TasWater facility borders Rugby Park and the Rowing Centre. It is understood that TasWater aims to have this vegetation at a height of five to seven metres within five to ten years.
 - 4.17.2. In-line with the recommendations of the Masterplan, the CEO will seek to secure the best possible outcomes for the site as part of the proposed sale negotiation process, including securing surety from TasWater that these buffers will be properly maintained into the future.

5. Legal, Risk and Legislative Considerations

- 5.1. Most risks associated with any potential transaction will be mitigated by the preparation of a suitably drafted contract for sale.

- 5.2. However, the disposal of the land will not remove any pre-existing risks to the Council that may be associated with its historical use of the land and any environmental impacts this may have had.
- 5.3. The agreed position with TasWater is that the sale will be effected under the terms of the *Land Acquisitions Act 1993* (Tas) (“LA Act”) to allow:
 - 5.3.1. For a quick settlement (within thirty days); and
 - 5.3.2. The parties from incurring any significant costs and uncertainty related to the planning hurdles that would be associated with attempting to subdivide the land under the terms of the *Land Use Planning Approvals Act 1993* (Tas) and associated with the statutory consultation process required for the disposal of public land under section 178 of the *Local Government Act 1993* (Tas).
- 5.4. Despite the points in 5.3 above, TasWater has not advised whether they intend to acquire the land with the formal prior agreement of Council (either sections 9 or 16 of the *Land Acquisition Act 1993*) or whether they will exercise their power to compulsorily acquire the Property.
- 5.5. This is relevant as Council Officers have recently received advice that it may be required to undertake the statutory consultation process prescribed in section 178 of the *Local Government Act 1993* (Tas) should TasWater elect not to use the compulsory mechanism to acquire the Property.
- 5.6. To that end, it is recommended that should the Council resolve in favour of disposing the Property, it also delegate power to the CEO to undertake the statutory consultation process should it be necessary.

6. Discussion

- 6.1. In its meeting of 25 October 2021, the Council considered a report from KPMG Enterprise Advisory detailing a property divestment methodology suitable for local government authorities.
- 6.2. A copy of that methodology is enclosed as **Attachment C**.
- 6.3. The methodology recommends a four-step approach to the decision-making process regarding the disposal of Council land.
- 6.4. A copy of the officer’s assessment recommending the disposal of the Property in accordance with this methodology is summarised below:

Step	Description	Y/N	Officer Notes
1	Do any statutory factors impact the disposal?	Satisfied	<p>The land is held by Council as public land for the purposes of section 178 of the Local Government Act 1993 (Tas). This means that both the general disposal requirements of section 177 and the statutory consultation requirements of section 178 would apply if Council attempted to sell on the open market.</p> <p>There would be planning restrictions associated with the subdivision required to sell the land independently of the parent title.</p> <p>However, the proposed transaction would recommend TasWater use their powers under the Land Acquisitions Act 1993 to overcome these statutory hurdles.</p>
2	Do any discretionary factors impact disposal?	Satisfied	<p>There are no current operational or strategic uses for the site nor any significant risks associated with a transaction that cannot be mitigated by a suitably drafted contract for sale. The disposal will generate a significant financial amount for Council.</p> <p>There are limited alternate uses for the site given its historical use as a tip-site and the significant amount of remediation works that are expected to be needed to occur to remove contaminants for alternate uses.</p>
3	Is there a method of disposal that would lead to a successful transaction?	Satisfied	TasWater is agreeable to the use of their land acquisition powers and settlement of the transaction is likely to occur within 30-60 days of the Council decision if

Step	Description	Y/N	Officer Notes
			approved.
4	Can a financial close be realised that is acceptable to both parties?	Satisfied	Both parties have agreed on an in-principle position and, as noted above, settlement of the transaction is reasonably expected to be resolved quickly should it be approved by Council.
Recommendation: Suitable for disposal			

- 6.5. Under the Council’s Probity Guidelines for the Consideration of Commercial Property Transactions Policy (**Attachment D**) a number of mandatory factors must be considered by the Council prior to deciding to dispose of property.
- 6.6. Some of these considerations overlap with the various steps of the methodology recommended by KPMG above. However, for completeness these factors have been evaluated below:

Step	Description	Criteria	Officer Notes
1.	Before a decision can be made on whether the proposal is suitable the following criteria must be evaluated.	Benefits and costs to Council, including: (1) financial benefits or costs; (2) ongoing maintenance and management; (3) risk management issues; and (4) protection of property;	The proposed sale would have a significant positive impact on the current year operating result and can be largely completed in-house with the Council’s internal legal resources. Disposing the land will negate any need for ongoing maintenance of the Property.
		Public benefit or costs, including consideration of: (1) Is there a benefit to the public or community from the sale? (2) Is the land ‘public land’ as defined in Section 178 of the Local Government Act 1993?	The sale of the land could convert an unused asset into revenue that can be invested into funding the Council’s strategic priorities. The land is public land as defined in Section 178 of the Local Government Act 1993.

Step	Description	Criteria	Officer Notes
		Community interest	<p>The inaccessibility of the Property to the public limits any recreational aesthetic or educational opportunities of the site.</p> <p>However, the classification as public land and its proximity to nearby recreation sites may heighten the reputational risks associated with any transaction.</p>
		Value and law of the land	The Property has special value to TasWater given its proximity to the adjacent Sewerage Treatment Plant. The value of the land is expected to be significantly lower if a sale was attempted on the open market due to the restrictions of the site.
		Alternative uses	There are minimal viable alternative uses without significant investment in remediation activities.
		Land use controls	The Property is zoned recreation and is held by the Council as public land.
		Natural and cultural heritage issues	The investigation undertaken for this report does not foresee any natural and cultural heritage issues with the disposal of the Property.
2	Once the Council has determined that the property should be sold a decision will then need to be made on the method of sale. The criteria for	Economic conditions (for example, whether the market is competitive.	The in-principle sale price was achieved based on a commercial valuation undertaken during more favourable real estate market conditions and assuming the land did not have any contamination. The Property is known to have contamination and therefore based on the above the proposed sale price carries a significant premium in favour of the Council. This is

Step	Description	Criteria	Officer Notes
	assessing the method of sale should include all of those noted above and:		premium that is unlikely to be realised through other means of disposal.
		Number of likely interested purchasers	Not applicable under the recommended method of disposal.
		Degree of control the Council wishes to have over the final development	This is only likely to be relevant to the extent that the Council may desire buffer zones.

- 6.7. It is proposed that the sale reflects a good outcome for the Hobart Ratepayer and as well as allowing the expansion of a strategically important public infrastructure that is necessary to accommodate future growth in the City of Hobart. Furthermore this is a commercial opportunity that may not be able to be realised with any other third party given the special significance of the site to TasWater.
- 6.8. There are no other current operational or strategic uses for the property. Any alternate proposals for the site are likely to be cost-prohibitive given the significant restrictions associated with the land.

7. Capital City Strategic Plan

- 7.1. The Capital City Strategic Plan 2019-29 elaborates on how the Pillars set out in the Hobart: A community vision for our island capital can be achieved. Whilst the disposal of the Property will have many “touchpoints” with the strategic outcomes within the Plan, the key strategic outcomes that have particular relevance include:
- 7.1.1. Pillar 6. Natural Environment
- Outcome: 6.3 Hobart is a city with renewable and ecologically sustainable energy, waste and water systems.
- 7.1.2. Pillar 7. Built Environment
- Outcome: 7.3 Infrastructure and services are planned, managed and maintained to provide for community wellbeing.
- 7.1.3. Pillar 8. Governance and Civic Involvement
- Outcome: 8.1 Hobart is a city of best practice, ethical governance and transparent decision-making.

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

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

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

8.1.1. The sale of the Property would have a significant positive impact on the Current Year Operating Result.

8.2. Impact on Future Years' Financial Result

8.2.1. As the Property is not currently a source of revenue for the Council, the sale of the Property will not negatively impact future cash flow.

8.3. Asset Related Implications

8.3.1. The sale will partially remove a potential liability from the Council's asset holdings.

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







Wes Young
**MANAGER LEGAL AND CORPORATE
GOVERNANCE**



Philip Holliday
ACTING DIRECTOR CITY FUTURES

Date: 14 March 2024
File Reference: F24/20951

Attachment A: Property Plan (Supporting information) 
Attachment B: Council Report - 2013 (Supporting information) 
Attachment C: Methodology for Disposal of Land (Supporting information) 
Attachment D: Probity Guidelines Policy (Supporting information) 

MOTION OF WHICH NOTICE HAS BEEN GIVEN**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015****17. Development Application Fees For Public Art
File Ref: F24/21579; 13-1-09**

Lord Mayor Councillor Reynolds

Motion

“That Council amend its Fees and Charges to set a \$0 fee for Development Applications for public art and murals on private property that face into public space.”

Rationale:

“The City of Hobart supports street art, public art and privately commissioned murals and street art, however a planning permit is required from the City under the ‘signs code’ which is approximately \$800 and takes approx. 42 days (including the public notice requirement).

This high fee is a disincentive for murals and public art being commissioned, with the cost of application often higher than the cost of the artwork itself.

The ‘Signs Code’ and the planning permit process is an important step to ensure that all proposed signs and mural art meet standards. The Code doesn’t just apply to signs with words. It includes graphical and pictorial as well as signs with advertising or descriptions.

It is important that all mural artists are treated consistently by obtaining the necessary approvals.

Waiving the Development Application fee allows for a growth in public art commissions in Hobart, while still ensuring proper planning oversight of applications.

The City of Launceston Council voted unanimously to waive planning application fees for this kind of art project in May 2022 as a way to create a culturally vibrant city through encouraging public art.

In 2019, Council endorsed the City of Hobart Public Art Framework. This document references the overarching principles of the Creative Hobart framework and sets out a series of guiding principles and directions for the City's Public Art. The policy aims to:

- increase the opportunities for a diverse range of artists to work in the public domain
- Facilitate and support public art projects proposed and developed by artists and other community members.

Public art enables people to share their experiences, thoughts, feelings, and imaginations. It enriches our lives by providing us with a way to see and experience the world through the eyes of others.

This step would demonstrate in a very practical way, the City's commitment to public and street art and to supporting the artists who do this work."

Administration Response to Notice of Motion

Discussion

1. The ability to create public art and murals on private property from a planning point of view will depend on a number of factors, including:
 - (a) the location of the property, which will influence whether the *Hobart Interim Planning Scheme 2015* applies or the *Sullivans Cove Planning Scheme 1997*;
 - (b) the broad design of the proposal (for example, does it contain specific advertising messages), although the planning scheme does not regulate specific content of signs;
 - (c) the placement of the proposal at the property e.g. is it on a window, a wall or fence surrounding a building, on an umbrella etc (there are 41 different defined signs in the Signs Code in the *Hobart Interim Planning Scheme 2015*);
 - (d) the zoning of the property;
 - (e) whether the property is listed in the planning scheme as a heritage place or heritage precinct; and
 - (f) the existing condition of a property e.g. whether the proposal replacing an existing approved sign or painted building.
2. Members of the public are encouraged to contact our duty planner to obtain advice as to whether or not their proposed actions will require planning approval before they begin.
3. The fees are comprised of the following planning fees for the current financial year:
 - (a) \$400 application fee; and
 - (b) \$449 advertising fee.

4. If the application fee is waived, this is unlikely to have a significant impact given that the number of applications received for “signs” of this nature are quite rare. This fee goes towards the cost of operations for the Development Appraisal Unit.
5. The current fees and charges require payment of twice the planning application fee for retrospective approvals.
6. The advertising fee is used to cover external costs incurred to advertise applications, including in the Mercury. So if this fee is waived then the Council will not have that cost covered by the applicant. It is therefore recommended that this component of the fees continues to apply to this category of applications, so that these applications are not effectively subsidised by the Council.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

- | | |
|-----------|---|
| Pillar: | 2 – Community inclusion, participation and belonging. |
| Outcome: | <p>2.2 Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life.</p> <p>2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.</p> |
| Strategy: | <p>2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life.</p> <p>2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion.</p> <p>2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.</p> |

Legislation and Policy

- | | |
|--------------|---|
| Legislation: | <i>Anti-Discrimination Act 1998, Land Use Planning and Approvals Act 1993</i> |
| Policy: | |

Financial Implications

1. As stated above.

18. RESPONSES TO QUESTIONS WITHOUT NOTICE**File Ref: F24/23917**

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 Whole House Visitor Accommodation

Memorandum of the Acting Director City Life 1 March 2024.

18.2 Population Growth Figures

Memorandum of the Director City Futures 13 March 2024.

18.3 St David's Park

Memorandum of the Acting Director City Life 13 March 2024.

**18.4 Elected Members – Legal Proceedings
Elected Members – Legal Issues - Costs**

Memorandum of the Manager Legal and Corporate Governance 13 March 2024.

18.5 Councillor Elliot – Donations Declaration






Memorandum of the Manager Legal and Corporate Governance 8 March 2024.


18.6 Climate Change Review / Strategy – Budget Costs Breakdown

Memorandum of the Acting Head of Intergovernmental Relations & Partnerships 7 March 2024.

Recommendation

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

- Attachment A: Whole House Visitor Accommodation (Supporting information) 
- Attachment B: Population Growth Figures (Supporting information) 
- Attachment C: St David's Park (Supporting information) 
- Attachment D: Elected Members - Legal Proceedings
Elected Members - Legal Issues - Costs (Supporting information) 
- Attachment E: Councillor Elliot - Donations Declaration (Supporting information) 

Attachment F: Climate Change Review / Strategy - Budget Costs Breakdown
(Supporting information) 

19. QUESTIONS WITHOUT NOTICE
File Ref: F24/23918

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

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

BUSINESS ARISING**20. Questions Taken on Notice During Debate**
File Ref: F24/24559

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

Recommendation

That the register of questions arising during debate be received and noted.

Attachment A: Questions Taken On Notice During Debate as at March 2024
(Supporting information) 

21. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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

- Proposal for an interest of land for the Councils consideration
- Information of a personal nature provided on condition it is kept confidential
- Personal hardship of a resident or ratepayer

The following items are listed for discussion:-

- | | |
|-------------|---|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Communication from the Chairperson |
| 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 | 2023-24 Supplementary Rates - Variation Objections
LG(MP)R 15(2)(g) and (j) |
| Item No. 7 | Consideration of Glebe Road Network
LG(MP)R 15(2)(f) |
| Item No. 8 | Temporary Housing - Final Report
LG(MP)R 15(2)(f) |
| Item No. 9 | City of Hobart Rate Postponements
LG(MP)R 15(2)(j) |
| Item No. 10 | Investigation report for a complaint referred by the Integrity Commission
LG(MP)R 15(2)(g) |
| Item No. 11 | QUESTIONS WITHOUT NOTICE
LG(MP)R 15(2)(g) |