



CITY OF HOBART

AGENDA

OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 24 FEBRUARY 2025
AT 4.00 PM



THE MISSION

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

OUR VALUES

THE COUNCIL IS:

PEOPLE

We care about people – our community, customers and colleagues

TEAMWORK

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

FOCUS AND DIRECTION

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

CREATIVITY AND INNOVATION

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

ACCOUNTABILITY

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

VISION

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

Hobart breathes.

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

We are brave and caring.

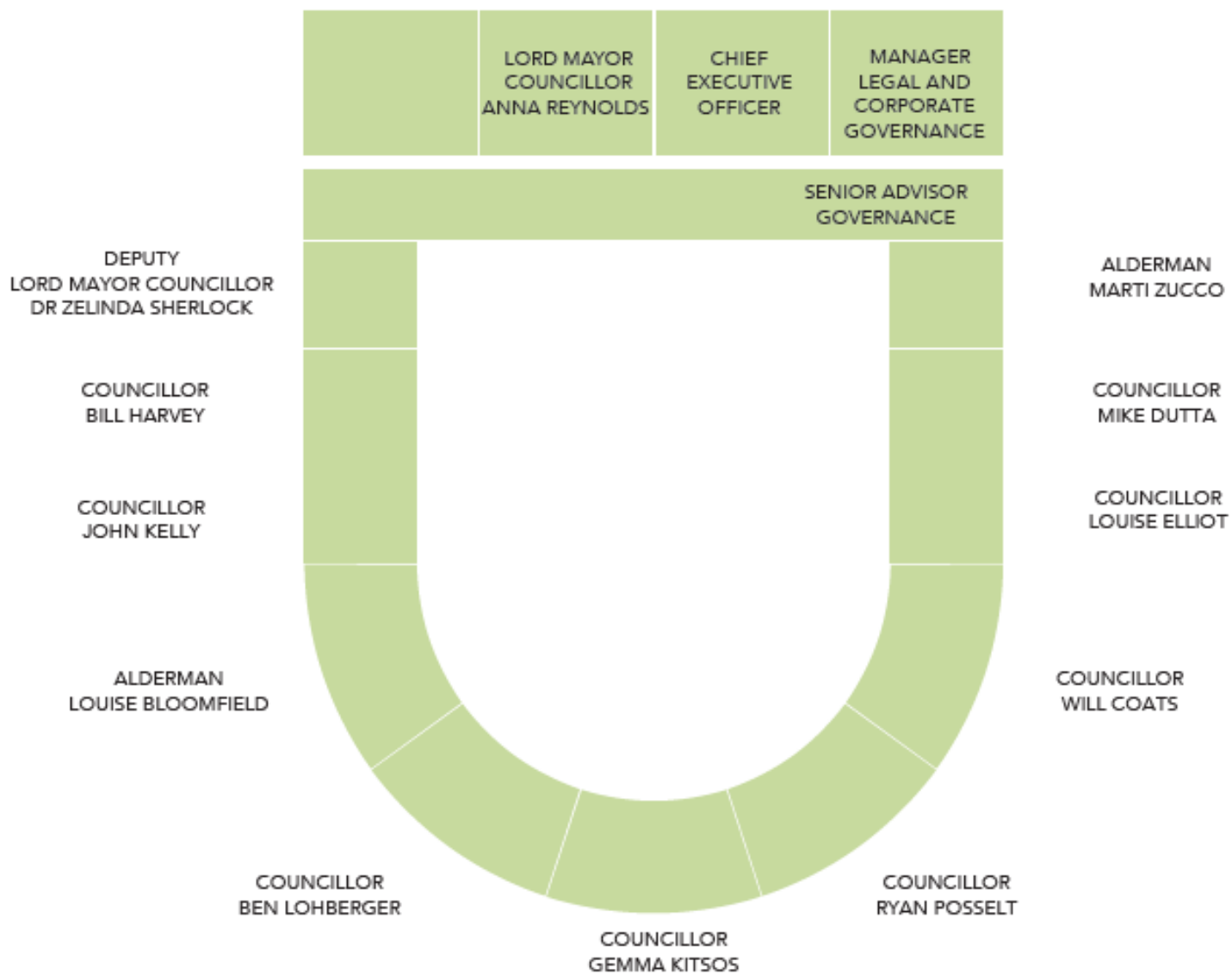
We resist mediocrity and sameness.

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

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



City of **HOBART**



ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. ACKNOWLEDGEMENT OF COUNTRY 6
2. CONFIRMATION OF MINUTES..... 6
3. TRANSFER OF AGENDA ITEMS..... 6
4. COMMUNICATION FROM THE CHAIRPERSON 6
5. NOTIFICATION OF COUNCIL WORKSHOPS..... 7
6. PUBLIC QUESTION TIME 8
7. PETITIONS..... 8
8. CONSIDERATION OF SUPPLEMENTARY ITEMS 8
9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 8

OFFICER REPORTS

10. Petition - Request for Public Meeting 9
11. E-Scooter Review for City of Hobart..... 17
12. Removal of Sealed Plan Notation - 58A Napoleon Street, Battery Point 41
13. Procurement - Quotation Exemption Report 45
14. Quarterly Financial Report - 31 December 2024..... 50
15. Line Marking on Local Government Roads..... 67
16. Targeted Amendments to the Local Government Act 1993 72
17. Special Committee - Terms of Reference..... 85
18. 2024-25 Capital Works Program - Mid Year Review 91

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

19. Ombudsman Report – Personal Information Protection Act Breaches..... 99
20. Volunteer Awards Policy..... 102
21. Legal Invoices 106

22. Lord Mayor Communications	109
23. Right To Information	111
24. Midson Report - Collins Street	114
25. Grant Funding - Hobart Football Club	118
26. RESPONSE TO QUESTIONS WITHOUT NOTICE	122
26.1 Dark Sky City Project.....	122
26.2 Parking Ticket Data.....	122
26.3 Collins Street Bridge Proposal	122
26.4 FTE Numbers.....	122
26.5 Vacant Property Data.....	122
27. QUESTIONS WITHOUT NOTICE	132
BUSINESS ARISING	
28. Questions Arising During Debate	133
29. CLOSED PORTION OF THE MEETING	135

**A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE
COUNCIL CHAMBER, TOWN HALL ON MONDAY, 24 FEBRUARY 2025 AT
4.00 PM.**

**Michael Stretton
Chief Executive Officer**

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

ELECTED MEMBERS:

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

APOLOGIES:

LEAVE OF ABSENCE:

Alderman M Zucco

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 [Tuesday, 28 January 2025](#), 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, 11 February 2025
Purpose: Briefing Dark Mofo 2025 | Tasmanian Hockey Centre Master Plan
| E-Scooter Review for City of Hobart

Attendance:

Lord Mayor Councillor A M Reynolds, Deputy Lord Mayor Councillor Dr Z E Sherlock, Councillors W F Harvey, M S C Dutta, L M Elliot, Alderman L A Bloomfield, Councillors R J Posselt, B Lohberger and G H Kitsos.

Apologies:

Councillor J L Kelly.

Leave of Absence:

Alderman M Zucco.

Date: Monday, 17 February 2025
Purpose: Railway Roundabout - Pedestrian Fencing | Targeted
Amendments to the Local Government Act 1993 | STRLUS Urban
Growth Boundary Proposal Update

Attendance:

Lord Mayor Councillor A M Reynolds, Deputy Lord Mayor Councillor Dr Z Sherlock, Councillors W F Harvey, M S C Dutta, L M Elliot, Alderman L Bloomfield, Councillors R J Posselt, B Lohberger and G H Kitsos.

Apologies:

Councillors J L Kelly and W N S Coats.

Leave of Absence:

Alderman M Zucco.

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. Petition - Request for Public Meeting
File Ref: F25/9811

Report of the Manager Legal and Corporate Governance and Acting Director Corporate Services of 17 February 2025 and attachments.

Delegation: Council

REPORT TITLE: PETITION - REQUEST FOR PUBLIC MEETING**REPORT PROVIDED BY:** Manager Legal and Corporate Governance
Acting Director Corporate Services**1. Report Summary and Key Issue**

- 1.1. To provide an update and associated advice as to the receipt of a petition calling for a public meeting on the proposed Collins Street bike lanes.
- 1.2. Council received the first submission of signatures via email on 29 November 2024, containing 1,489 names. A second submission of 201 names was provided via email on 6 January 2025. A third submission of 70 signatures was provided via email on 14 January 2025.
- 1.3. Council officers made a commitment to the lead petitioner that a report would be provided at the January Council meeting, which would also provide for the tabling of the petition in accordance with section 58 of the *Local Government Act 1993*, noting that at the time of the relevant agenda deadline that Council was precluded from further progressing the petition's call for a public meeting as the document failed to meet associated statutory requirements.
- 1.4. Section 59(2) of the Act provides that a council '*must hold a public meeting if the petition complies with section 57 and is signed by whichever is the lesser of.... 5% of electors in the municipal area or 1,000 of those electors.*'
- 1.5. At the time the finalisation of the Ordinary Council Agenda for the January meeting, officers determined that there are 970 signatures on the petition that appear on either the Electoral or General Manager's Roll, noting the threshold required is 1,000.
- 1.6. The Act permits the lead petitioner to continue to provide additional signatures to Council with no time limits for doing so.
- 1.7. As anticipated at the January Council meeting the statutory threshold (1000 signatures) under section 59(2) of the *Local Government Act* was crossed shortly after the meeting. Officers ceased counting after confirming 1014 signatures that appear on the electoral rolls. Signatures received after the deadline for the January meeting are attached to this report.
- 1.8. The Council must advertise the details of the meeting twice, invite public submissions in relation the subject matter of the meeting and provide a period of 21 days after the first advertisement for the receipt of submissions.

- 1.9. Officers have pencil booked both Town & City Halls for the relevant dates. The CEO (or delegate) will make a final determination as to the venue, closer to the date having due regard to the number of ticket registrations.
- 1.10. The below table contains a list of proposed actions (for the CEO or their delegate) for the purpose of facilitating a public meeting. It is noted that some preliminary work has already occurred, as provided for within the January report to Council.

Action	Date
Advice as to the petitions compliance against section 59(2) of the Act and action to be taken.	24 February 2025
Advertising This must occur twice.	26 February 2025 (Wednesday) 8 March 2025 (Saturday)
Website live Collection of submissions via YourSay Hobart Live	25 February 2025
Ticket registration opens	3 March 2025 (Monday)
Submissions Close A submission must be lodged with 21 days after the first advertisement	18 March 2025
Public Meeting needs to be within 30 days of Council decision	25 March 2025
Council considers outcome of public meeting per the requirements of the Act: <i>(5) The minutes of the next ordinary meeting of the council following the public meeting are to record – (a) a summary of any submission received under this section; and (b) any decision made at a public meeting held under this section.</i>	31 March 2025

2. **Recommendation**

That:

1. ***Council note and receive this report and associated qualified advice.***
2. ***A public meeting be held on the evening of 25 March 2025 at either the Town Hall or City Hall commencing at 5.30pm, with the Chief Executive Officer delegated to make the final decision based on the number of ticket registrations and relevant venue capacity.***
3. ***The Chief Executive Officer, or their delegate, be authorised to undertake the necessary action to ensure compliance with sections 60-60A of the Local Government Act 1993.***
4. ***The lead petitioner be advised that the petition meets the statutory requirements of section 59(2)(b) of the Local Government Act 1993, and detail of the actions Council has endorsed to give effect to Sections 60 and 60A of the Act.***

3. **Discussion and Background**

- 3.1. By way of background the lead petitioner contacted Council officers on 19 November 2024 seeking advice as to the construction of the proposed petition to ensure statutory compliance with sections 57-59 of the *Local Government Act 1993*.
- 3.2. That advice was accepted and acted on in its entirety and the subsequent officer assessment of the petition against section 57-59 has occurred in alignment with the original advice.

Assessment Methodology

- 3.3. As previously detailed the construction and assessment of petitions calling for public meetings must occur in accordance with the *Local Government Act 1993*.
- 3.4. Officers verified signatures using the most recent versions of both the Electoral and General Manager's rolls, as certified by the Tasmanian Electoral Commission.
- 3.5. Based on advice from the Tasmanian Electoral Commission, Council staff must be satisfied beyond reasonable doubt that a signature accords with an entry on the electoral rolls.
- 3.6. Officers then manually cross-checked names and the associated address contained on the petition against those on the two rolls. Where there was a 100 per cent match for an entry, the signature was counted toward the 1,000 required.

3.7. Duplicate entries were only accounted for once.

4. Legal, Risk and Legislative Considerations

4.1. The assessment of the Petition against section 57 and section 59 requirements must (and has) occur in strict accordance with the *Local Government Act 1993*.

Section 57 Requirements

4.2. Section 57 provides for a series of requirements as to the nature of a petition's call to action in addition to a series of requirements for both paper based and electronic petitions regarding the collection of information relating to signatories and a certifying statement from the lead petitioner (Mr Johnstone). In this instance the petition is a hybrid of both a traditional 'paper' petition and an electronic petition. This has occurred on account of the petition having been placed in a series of public places (such as some Collins St businesses) while also being promoted on social media and being hosted on the website of the Confederation of Greater Hobart Businesses Limited (www.cqhb.org.au/petition).

4.3. The petition as a document is compliant with all the requirements of section 57, with the exception of some signatories who have not provided their full details (which also impacts section 59 matters) but this is beyond the control of the lead petitioner and not critical to the document's validity under section 57. Council fulfilled its obligations under section 57 via the tabling of the petition at its January meeting.

Section 59 Requirements

4.4. Section 59 of the Act provides a statutory framework for petitions that specifically call for a 'public meeting,' noting that such petitions must also comply with section 57, noting section 57 requirements were completed in January.

4.5. Section 59(2) provides that a council '*must hold a public meeting if the petition complies with section 57 and is signed by whichever is the lesser of.... 5% of electors in the municipal area or 1,000 of those electors.*'

4.6. The relevant requirement for the City of Hobart is 58(2)(b), which is 1,000 electors. Of the 1,000 electors they can be drawn from either the general electoral roll or the 'General Manager's Roll' (as provided for under section 258), both of which are maintained in a manner as directed by the Tasmanian Electoral Commission.

4.7. The petition reached the statutory threshold the week after Council's January meeting. With the petitioner having satisfied section 59 requirements Council is required to now give effect to section 60 and 60A considerations. This does not require the re-tabling of the petition,

but simply the provision of fresh advice as to its status against section 59.

5. Strategic Planning and Policy Considerations

- 5.1. The subject matter of this report aligns with the City's Hobart: A Community Vision for our Island Capital, namely:

Statement 7 - How We Engage In Civic Life.

7.1 We are active on issues that are important to us.

- 5.2. In addition, the subject matter of this report aligns with the following Pillars within the City's Capital City Strategic Plan 1019-29 (update 2023), namely:

Pillar 1 – Sense of Place

Strategy 1.2.3 We appreciate that we each have different ideas of what this city means to us and how we would improve it. We allow our understandings of our place to evolve through personal experience. We use differences of opinion to test our ideas.

Pillar 8 – Governance and Civic Involvement

Strategy 8.1.3 Make informed decisions by undertaking genuine, transparent and appropriate community engagement to understand the current and future needs of the community.

6. Financial and Economic Considerations

- 6.1. In the absence of final ticket registration numbers, facilitator and audio and visual quotes (some of which are venue specific it is not possible to detail the exact costs for the public meeting, nor populate the associated officer report template).
- 6.2. A further complicating factor is staff overtime costs, which will vary depending on the venue and duration of the meeting. However, based on similar past events and preliminary informal cost estimates from third-party providers it is anticipated that the total cost will be in the vicinity of \$10,000.
- 6.3. The meeting will not generate any revenue.
- 6.4. City Economy Strategy:
- 6.4.1. The Collins Street Trial forms part Council's broader transport and mobility strategy. The public meeting has no direct bearing on the City Economy Strategy.

- 6.5. Economic Impact:
 - 6.5.1. There is no material economic impact relating to the holding of a public meeting.
- 6.6. Consultants:
 - 6.6.1. The services of an independent facilitator (Mr Michael Stedman) have been secured. Mr Stedman has previous experience with such matters.

7. Community and Business Engagement and Collaboration

- 7.1. The Request for a public meeting relates to the Council's decision at its 16 September 2024 meeting to implement the tactical bicycle infrastructure and streetscape improvements trial including dining decks and a zebra crossing in Collins Street between Molle Street and Murray Street.
- 7.2. By way of background information Council's 11 November 2024 meeting discussed a range of options, before finally resolving inter alia the following:
 - 1. *Officers prepare a report on the current issues, costings and timings on extending the operating hours of the Centrepoint and other Council operated multi-storey carparks in the CBD to allow utilisation beyond the current operating hours.*
 - 2. *Officers prepare a report for Council exploring options to retain loading zone and parking opportunities between Victoria and Murray Street to be trialled as part of the scheduled 3, 6 or 12 month adjustments.*
- 7.3. Work to inform future officer reports on both these matters is presently underway, including workshops with relevant stakeholders in the Victoria to Murray Street section of Collins Street. The reports are scheduled for the Council's 31 March meeting.
- 7.4. An agenda item for the Hobart Workshop Committee meeting on 24 March has also been scheduled to consider and discuss the officer advice related to options to retain loading zone and parking opportunities in respect of previous Council resolutions.

8. Implementation and Communications Plan

- 8.1. Key components of the engagement and communications components for the public meeting are detailed under section 1. Engagement efforts regarding the proposed trial have been the subject of previous Council decisions, as noted under section 8.

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**



Michelle Wickham
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 17 February 2025
File Reference: F25/9811

- Attachment A: PART 4 - Petition Calling for Public Meeting on Proposed Collins Street Bike Lanes (Supporting information) 
- Attachment B: PART 5 - Petition Calling for Public Meeting on Proposed Collins Street Bike Lanes (Supporting information) 
- Attachment C: PART 6 - Petition Calling for Public Meeting on Proposed Collins Street Bike Lanes (Supporting information) 

11. E-Scooter Review for City of Hobart
File Ref: F25/9713

Report of the Chief Executive Officer of 19 February 2025 and attachments.

Delegation: Council

REPORT TITLE: E-SCOOTER REVIEW FOR CITY OF HOBART**REPORT PROVIDED BY:** Chief Executive Officer**1. Report Summary**

- 1.1. The purpose of this report is to provide the Council with an overview of the performance of commercial hire-and-ride e-scooters in the City of Hobart since their introduction.
- 1.2. This report will also assist the Council with its consideration of the future of commercial hire-and-ride e-scooters in Hobart as the current permit with Beam Mobility Australia Pty Ltd ("Beam") expires on 6 May 2025.

2. Key Issues

- 2.1. Commercial hire-and-ride e-scooter services have operated within Hobart since December 2021, making a contribution to reducing vehicle congestion within the city as well as reducing greenhouse gas emissions.
- 2.2. A recent community survey (attachment A) indicated that there is support for continuing e-scooter services within Hobart, with 57% of respondents indicating their support. This follows a community survey that was conducted as part of the e-scooter trial assessment in 2022, which found that 53% of respondents supported the continuation of the hire-and-ride e-scooter service.
- 2.3. Hire-and-ride e-scooters provide the community with a low cost active transport option.
- 2.4. Commercial hire-and-ride e-scooter usage in Hobart has resulted in low numbers of incidents and/or injuries as well as traffic infringements.
- 2.5. The parking of e-scooters remains an issue with a recent parking audit finding that 38% of e-scooter vehicles were inappropriately parked.
- 2.6. While Beam has introduced new technologies and regulatory approaches to better control the parking of e-scooters, inappropriate e-scooter parking remains a concern across the city.

3. RECOMMENDATION***That:***

1. ***The Council determine to continue the delivery of hire-and-ride e-scooter services in Hobart.***

2. ***The Council undertake a public procurement process to award a future permit to operate commercial hire-and-ride e-scooter services in Hobart, which will include (but not be limited to) the following additional considerations:***
 - (i) ***The ability to consider the provision of e-bikes in addition to e-scooters; and***
 - (ii) ***Additional parking options and control measures to prevent the inappropriate parking of e-scooters (and potentially e-bikes).***
3. ***The updated Permit Conditions for the new procurement process be considered at a future meeting of the Council before being released to the market.***

4. Background

Micromobility Trial

4.1. Following an 18-month procurement process, Hobart and Launceston City Councils partnered with micromobility providers Beam and Neuron to supply electric scooters (e-scooters) for a trial of hire-and-ride services between December 2021 and February 2023.

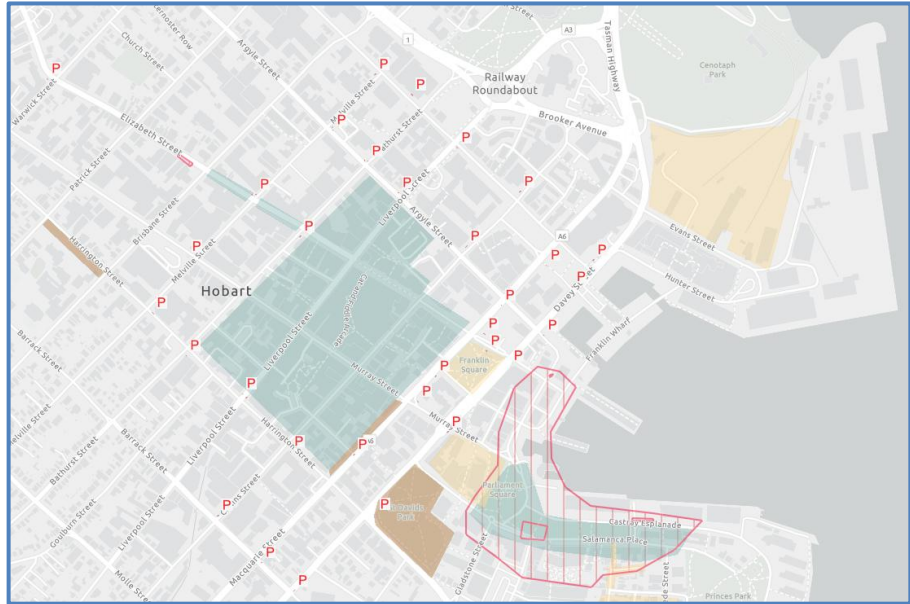
4.2. At the conclusion of the trial in February 2023, the City of Hobart E-Scooter Trial Evaluation Report was considered by the Council and concluded that “...*Based on the available evidence, the e-scooter trial has met the City of Hobart’s objectives outlined in the Capital City Strategic Plan, Sustainable Hobart Action Plan and the Connected Hobart Smart City Action Plan through enabling new, innovative, and sustainable ways for people to move about the city. As with all transport modes, there are safety and amenity issues that require management.*

Importantly, any decision about hire-and-ride e-scooters in Hobart will not impact the growing popularity of private e-scooters. The City will still need to be actively engaged, manage risks, respond to community concerns, and support active transport infrastructure transformation with or without hire-and-ride services. Engaging with hire-and-ride operators provides opportunity for the City of Hobart to realise the opportunities of micromobility, while maintaining leverage to influence the future of new mobility services and modes...”

4.3. At its meeting held on 20 February 2023, the Council resolved to continue the operation of hire-and-ride e-scooter services in Hobart. It then endorsed the e-scooter permit conditions at its meeting on 17 July 2023 thus making a single e-scooter permit available for the operation of a hire-and-ride e-scooter service in the city.

Single Permit – Beam

- 4.4. Beam was awarded the e-scooter permit on 15 April 2024 and commenced delivery of the service on 7 May 2024.
- 4.5. The permit includes a suite of Key Performance Indicators (KPI's) that are to be utilised by the Council to monitor and measure the performance under the permit. Due to confidentiality requirements, Beam's performance against these KPI's will be considered in another report in the closed portion of this workshop.
- 4.6. The permit clarifies that the City of Hobart is responsible for the provision of dedicated e-scooter parking space infrastructure, as this is necessary for proper infrastructure and asset management. Different types of parking is provided which is based on the characteristics of each area:
 - 4.6.1. Restrictive parking (whereby parking will only be permitted in designated bays) will be rolled out in high-risk pedestrianised areas.
 - 4.6.2. Mixed restrictive and 'free floating' parking in medium risk areas (subject to footpath auditing).
 - 4.6.3. Free floating parking in low-risk outer suburban areas (with adequate footpath widths) to ensure lower-income servicing and public transport integration.
- 4.7. The status of the Council's progress with the provision of e-scooter parking bays is as follows:
 - 4.7.1. In 2022 and 2023, the Council installed 17 marked on-footpath zones to guide users as to appropriate places to park the scooters.
 - 4.7.2. A list of 23 additional suitable sites were agreed and approved for installation by the City Transport Group on 4 September 2024 (see E-Scooter Travel Zone & Parking Map Extract – City of Hobart Website – November 2024):



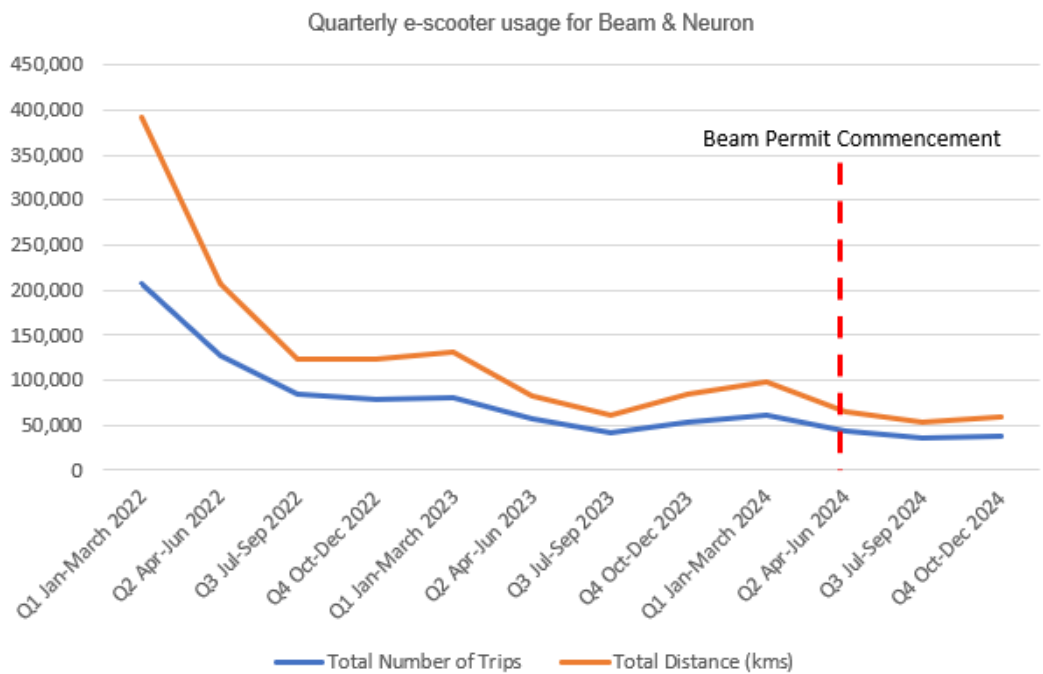
4.7.3. A contractor was in place and ready to install the on-footpath parking zones, but the work was put on-hold pending the Council’s review of commercial hire-and-ride e-scooters in the city.

Commercial Hire-and-Ride E-scooter Usage

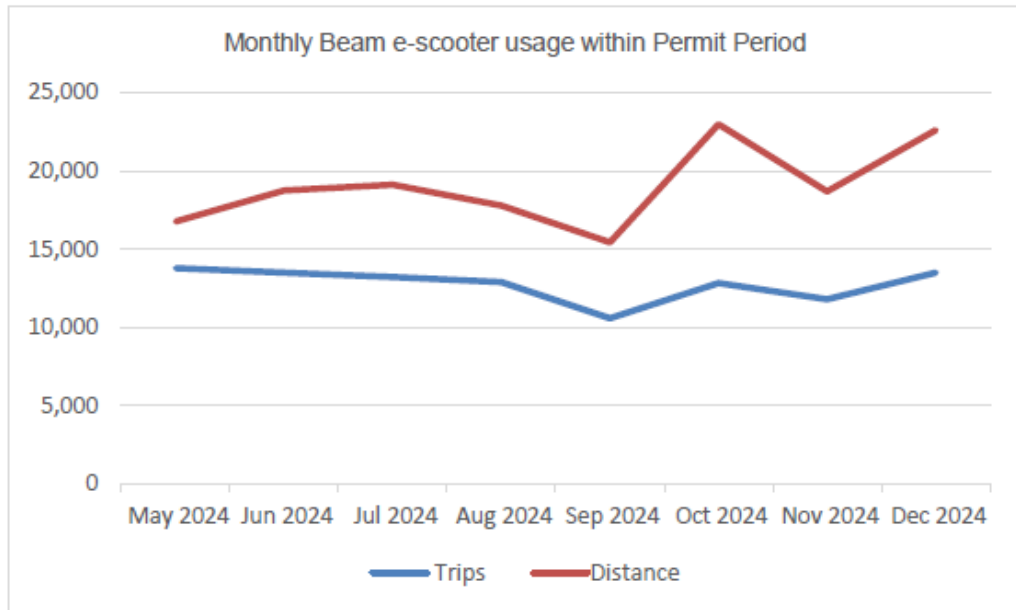
4.8. The use of hire-and-ride e-scooters within the city is independently monitored by the *Ride Report* global micromobility platform, and the total number of trips and distance travelled by hire-and-ride e-scooters between January 2022 and December 2024 is provided in the following table:

Quarter	Total Number of Trips	Total Distance (km’s)
Q1 Jan-March 2022	207,800	391,557
Q2 Apr-Jun 2022	127,900	207,384
Q3 Jul-Sep 2022	83,700	124,336
Q4 Oct-Dec 2022	78,000	123,799
2022 Average Per Month	41,450	70,589
2022 Total	497,400	847,076
Q1 Jan-March 2023	79,700	132,199
Q2 Apr-Jun 2023	56,500	81,782
Q3 Jul-Sep 2023	41,500	60,819
Q4 Oct-Dec 2023	53,700	84,308
2023 Average Per Month	19,283	29,925
2023 Total	231,400	359,108
Q1 Jan-March 2024	60,400	97,388
Q2 Apr-Jun 2024	43,400	65,418
Q3 Jul-Sep 2024	36,800	52,465
Q4 Oct-Dec 2024	38,000	59,739
2024 Average Per Month	14,833	22,917
2024 Total	178,600	275,010

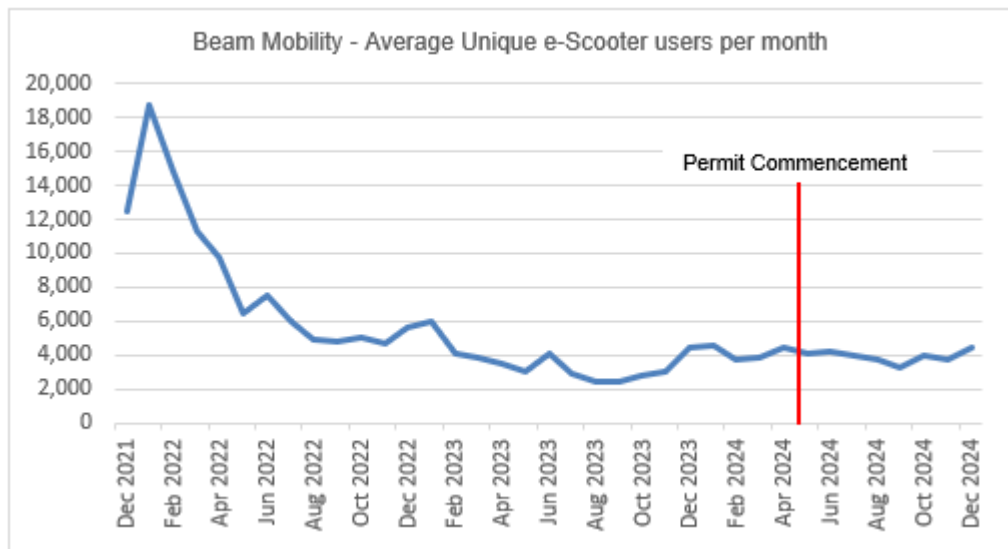
- 4.9. From this table it is clear that the city experienced high levels of use in the early stages of the e-scooter trial period when they were a new and novel experience, which lasted until mid-2022.
- 4.10. The average number of e-scooter trips in Hobart each month has reduced from a high of 41,450 in 2022 to 14,833 in 2024. Similarly, the total distance travelled has reduced from a monthly average of 70,589 km in 2022 to 22,917 km in 2024.
- 4.11. Excluding the period in early 2022 when the e-scooters were new to the city, the trips per month have ranged between 13,000 and 19,000, while the average total distance travelled has ranged between 23,000 to 29,000 km per month. This is illustrated in the following table, noting that the post 7 May 2024 usage data is Beam e-scooters only.



- 4.12. In the eight (8) months that Beam has had the e-scooter permit between May to December 2024, an average of 13,056 trips were taken per month with the average monthly distance travelled being 19,735 km. This is illustrated in the following graph:

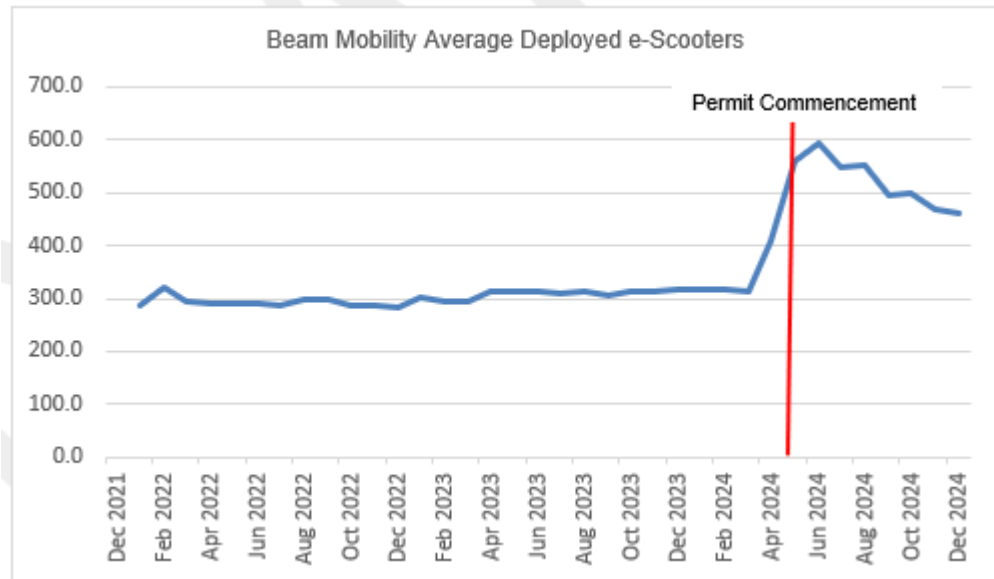


4.13. Within the permit period Beam’s service has averaged 3,906 users per month with a minimum of 3,207 users and a maximum of 4,392 users in any given month. The following graph illustrates Beam’s unique e-scooter users since the company commenced operating in Hobart, noting that in the period post-permit commenced in May 2024, it has been the sole hire-and-ride operator within the city.

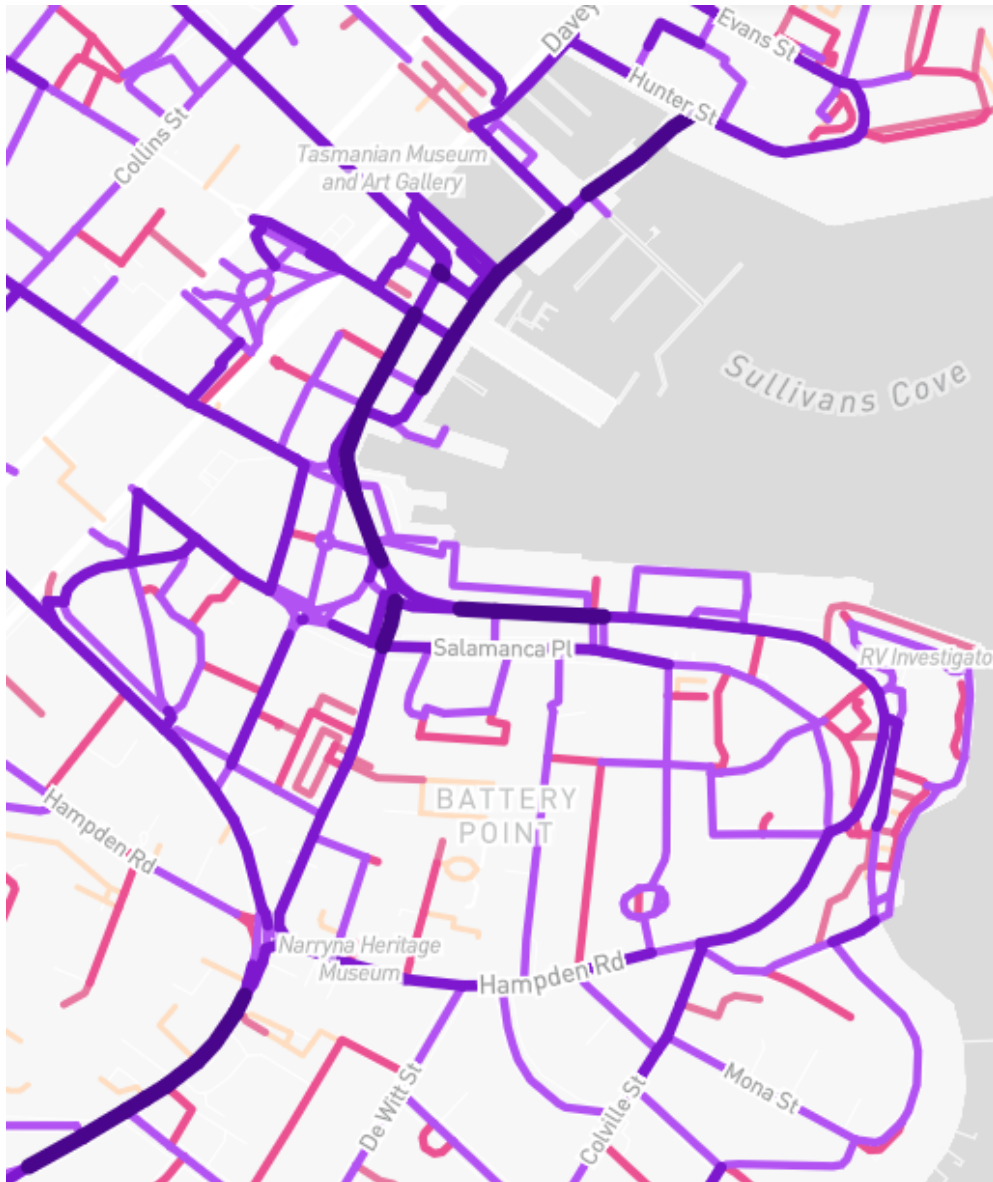


4.14. Throughout the e-scooter trial period when there were two commercial hire and ride companies operating within the city, there were generally between 500-600 e-scooter vehicles deployed at any one time. However, in 2024 this number has reduced to a range of 460-595 e-scooters.

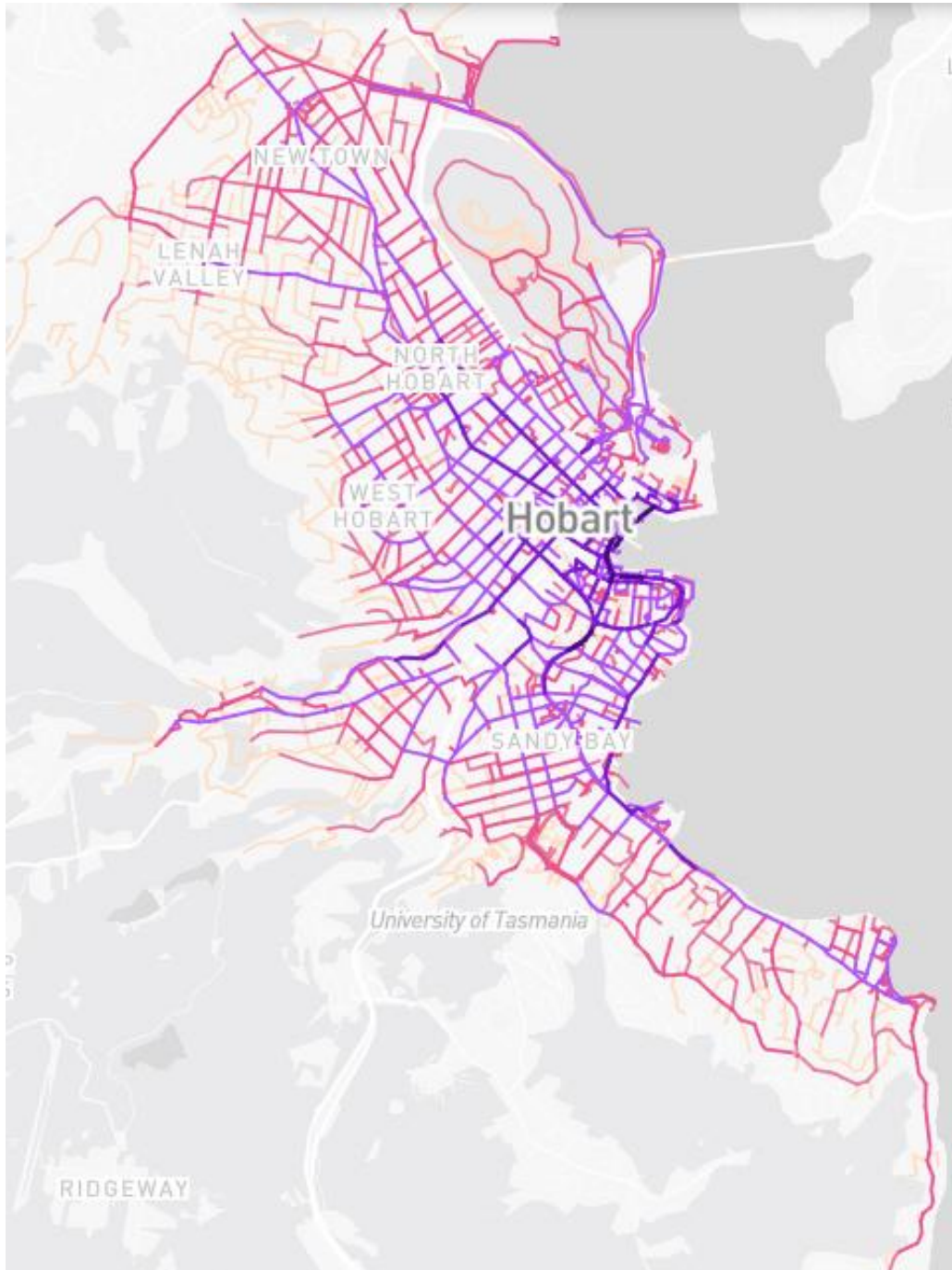
4.15. As can be observed in the following graph, in recent months between September and December 2024, Beam were consistently deploying less than 500 e-scooter vehicles across the city.



- 4.16. During the permit period Beam Mobility estimates that e-scooter usage has avoided 14,834kg of CO². This figure assumes that 50% of e-scooter ride km replace car trips.
- 4.17. Since their introduction in 2021, the most utilised streets for e-scooter riders in Hobart include Franklin Wharf, Morrison Street, Montpelier Retreat, together with sections of Castray Esplanade, Sandy Bay Road, Elizabeth Street, Bathurst Street and Collins Street. E-scooter usage is illustrated in the following diagram(s).



E-scooter Highly Used Streets



City-wide e-scooter Usage

Incident Reports

- 4.18. The number of incidents associated with e-scooter usage within Hobart has remained small. The following table provides details of all injuries, near miss incidents and property damage that have been reported to Beam in the permit period between May to December 2024.

Category	Category Description	Number Of Incidents
Near Miss	Near miss incident / injury	22
Property Damage	Motor Vehicle Damage	5
Property Damage	Damage to Infrastructure	2
Property Damage	Collision with a dog	1
Cat 1 : Incident	Injury not requiring first aid	8
Cat 2 : Minor	Injury requiring first aid	7
Cat 3 : Moderate	Injury requiring hospital admission but no overnight stay	1
Cat 4 : Serious	Injury requiring hospital admission	2

- 4.19. Three riders required hospital admission within the permit period.

Traffic Offence Data

- 4.20. Tasmania Police advise that it has issued four infringement notices within Hobart between 1 December 2023 and 30 November 2024 for e-scooter offences. These offences relate to carrying an additional person, failure to wear a helmet and using a mobile phone while riding an e-scooter.
- 4.21. In accordance with its permit conditions, Beam implements a three-strike self-regulatory compliance enforcement framework to action inappropriate rider behaviour.
- 4.22. Over the course of the permit period Beam has issued its riders with 16 first offence warnings, one final warning and four suspensions. Examples of the types of behaviour that are acted upon include: riding with no helmet; tandem riding; riding dangerously around pedestrians or other members of the public; riding in the middle of a busy road; riding the wrong way on a one-way street; riding whilst under the influence of alcohol or drugs; and vandalism or destruction of public or private property.

E-Scooter Parking Audit

- 4.23. The parking of e-scooters remains an issue around the city with vehicles often being parked inappropriately creating obstructions for footpath users.
- 4.24. Council officers completed an audit of e-scooter parking between 25 October and 28 October 2024 to independently assess the compliance

of e-scooter parking. The audit included Battery Point, Hobart CBD, Sandy Bay and Midtown.

- 4.25. As described in the following table, the audit identified that of the 71 e-scooters parked in these localities, 62% were parked appropriately but not in a preferred parking area; 22.6% were blocking a footpath/access or creating a hazard; 12.6% had fallen over and 2.8% were abandoned in a sensitive area.

Event	Number of e-Scooters
E-Scooter parked appropriately but not in preferred parking area	44
E-Scooter parked in preferred parking area (untidy)	0
E-Scooter parked dangerously in preferred parking area	0
E-Scooter found in NO PARKING ZONE	0
E-Scooter blocking pedestrian footpath	8
E-Scooter blocking access	5
E-Scooter creating hazard for road user	3
E-Scooter fallen	9
Abandoned helmet	1
E-Scooter abandoned in sensitive area (such as rivulet, parks, gardens or nature strips)	2
Total	71 = e-Scooter 1 = Helmet

- 4.26. By comparison, Beam’s monthly report only identified seven reports of inappropriate parking on 25 October 2024 and 28 October 2024, which are outlined in the following table:

Category	Notified	Source	Suburb	Street	Note
Vehicle – Non-compliant	25/10/2024 11:55	Customer Services	North Hobart	Federal St	
Parking – Inappropriate	25/10/2024 02:59	Customer Services	South Hobart	Wynyard Street,	
Vehicle – Unsafe	28/10/2024 08:51	Customer Services	Sandy Bay	jetty	unable to fish out
Vehicle – Inactive 3-5 Days	28/10/2024 09:25	Customer Services		Hope Street	
Parking – Inappropriate	28/10/2024 11:05	Customer Services	New Town,	Valentine Street	
Parking – Inappropriate	28/10/2024 14:12	Customer Services	West Hobart	Lansdowne Crescent	Nuisance complaint – scooter parked OK
Vehicle – Fallen	28/10/2024 16:54	Customer Services	Sandy Bay	Willowdene Avenue	

- 4.27. The Council’s parking audit illustrates that there are substantially more e-scooters being inappropriately parked than are being reported to Beam. The Council’s audit found that 38% of e-scooters were inappropriately parked in the localities that were investigated.
- 4.28. Beam are aware of this problem and has rolled out improvements in Hobart to improve parking compliance which include the provision of designated parking zones and the use of an Artificial Intelligent (AI) Parking Auditor. These improvements are further outlined below:

Designated Parking Zones (DPZ) in the Hobart CBD

- 4.28.1. The Designated Parking Zones feature is designed to reduce rider confusion in areas with overlapping parking regulations, such as zones with various vehicle deployment rules.

- 4.28.2. By implementing the DPZ, Beam aim to clearly distinguish parking-allowed and parking-restricted areas, ensuring riders understand parking rules better.

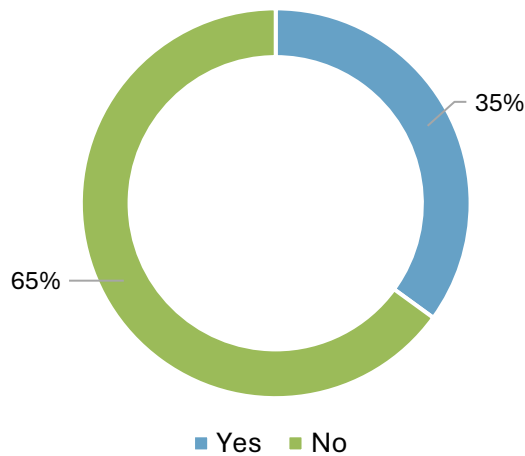
AI Parking Auditor

- 4.28.3. As part of its commitment to improving rider parking compliance and enhancing pedestrian safety and accessibility, Beam has integrated a new software called Captur AI into its platform. The technology utilises intelligent camera analysis to automatically identify optimal parking photos at the end of each trip. This innovative technology streamlines compliance checks and provides immediate feedback to riders.

Community Sentiment

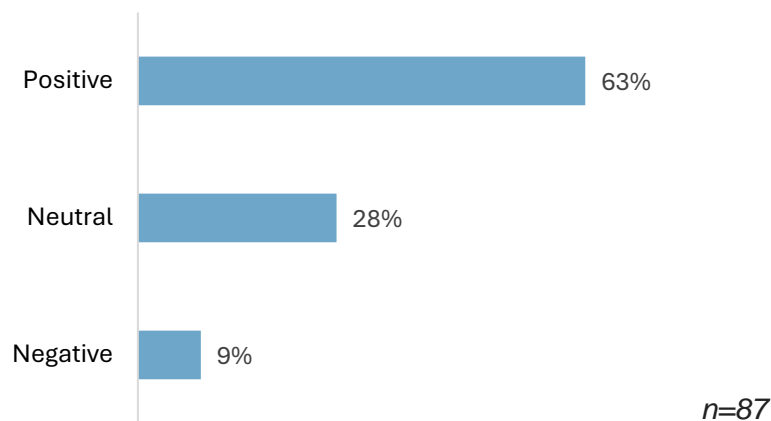
- 4.29. In November 2024, the Council engaged market research company, Ipsos to undertake a representative survey of City of Hobart residents to better understand their awareness and usage of, and attitudes toward, e-scooter options in Hobart. A copy of Ipsos's *Hobart Micromobility Report* is included as Attachment 1.
- 4.30. The survey was undertaken between 5 and 15 December 2024 using a cost-efficient and robust computer assisted telephone interview (CATI) methodology. Telephone numbers were sourced from lists of likely residents with all participants screened to ensure current residency.
- 4.31. A combination of quotas and post hoc weighting was applied to ensure the sample collected accurately reflected the population of the City of Hobart by key demographics like age and gender. In all, 400 residents were included in the survey, which represented an effective sample size of approximately 71%.
- 4.32. The survey established that approximately one third (35%) of residents in the city stated that they use micromobility options. Claimed usage was higher among men and among younger residents. This usage is largely occasional or infrequent.

Overall Micromobility Usage



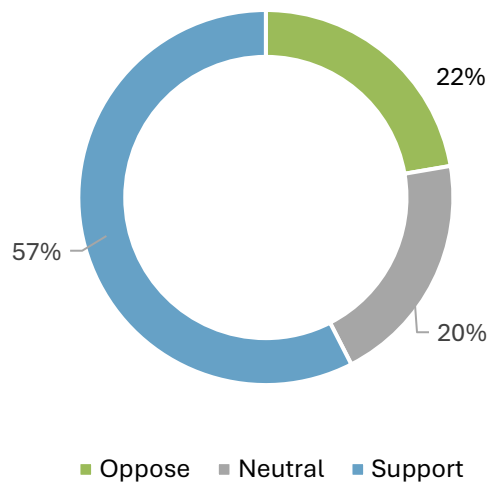
- 4.33. A majority of residents are aware of Beam e-scooters specifically (80%), with approximately one in five having used one at some point. Most users report positive experiences in utilising e-scooters.
- 4.34. Those who used Beam e-scooters were asked to rate their experience on a five-point scale from 'very negative' to 'very positive'. Overall, almost two in three were 'positive' (12% 'very positive' and 51% 'positive'). Just fewer than one in ten were negative (2% 'very negative' and 7% 'negative').

User Satisfaction with Beam E-scooters



- 4.35. The survey identified that while there is majority support for the continued use of e-scooters in the City of Hobart (57% support), large minorities are opposed or neutral (22% opposed, 20% neutral).

Support for Continued e-Scooter Services in Hobart

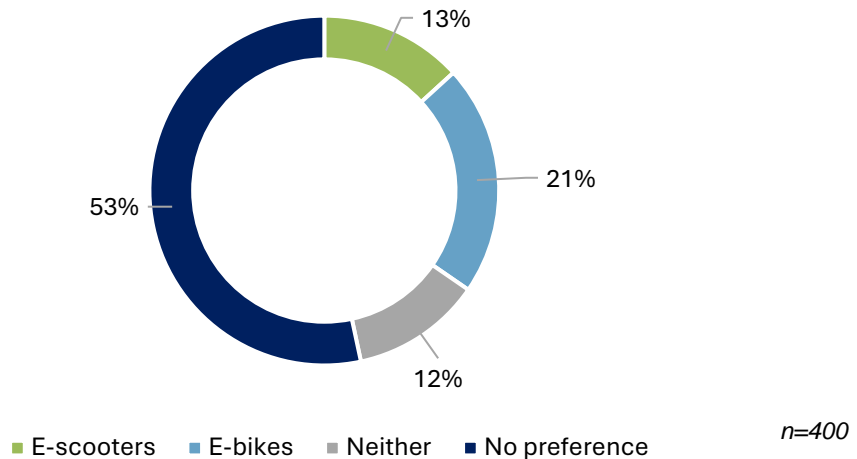


- 4.36. Interestingly, the level of community support for the continued use of e-scooters in the City of Hobart has slightly increased (53% to 57%) compared to the community survey that was completed as part of the evaluation of the e-scooter trial in 2022. However, the level of opposition has significantly decreased (34% to 22%), while the percentage of people that are neutral/unsure has increased (13% to 20%).
- 4.37. Analysis by age and gender found higher support for continued e-scooter services among those aged 35-64 years, with opposition highest among those aged 65 years and over. Current users are also more likely to support their continuation with 71% of this cohort indicating their support.
- 4.38. E-scooter provision is likely having a small positive impact on challenges like congestion and parking. While most of those using Beam e-scooters would have walked (72%) if the option was not available, many would have considered taking a taxi (32%) or a personal car (26%).

	Total	Male	Female	18-34 years	35-64 years	65+ years	Dis-ability	No dis-ability
Walking	72%	59%	86%	69%	70%	100%	65%	73%
Taxi services	32%	36%	28%	38%	33%	0%	28%	32%
Personal car	26%	28%	24%	31%	21%	20%	58%	22%
Carpooling/Rideshare	11%	15%	7%	19%	6%	0%	7%	12%
Public transport	10%	5%	14%	6%	15%	0%	21%	8%
Motorbike/Motorcycle	4%	1%	6%	6%	2%	0%	0%	4%
Bicycle (manual or electric)	3%	3%	3%	0%	6%	0%	7%	2%
Scooter (manual or electric)	1%	1%	1%	0%	3%	0%	0%	1%
Skateboard (manual or electric)	1%	0%	1%	0%	2%	0%	7%	0%
Other	10%	14%	7%	13%	6%	20%	7%	11%
Number	87	45	42	16	66	5	11	76

4.39. When asked about preferred micromobility options generally, most residents had no preference (53%), while slightly more preferred e-bikes (21%) than e-scooters (13%).

Preferred Micromobility Vehicle Types

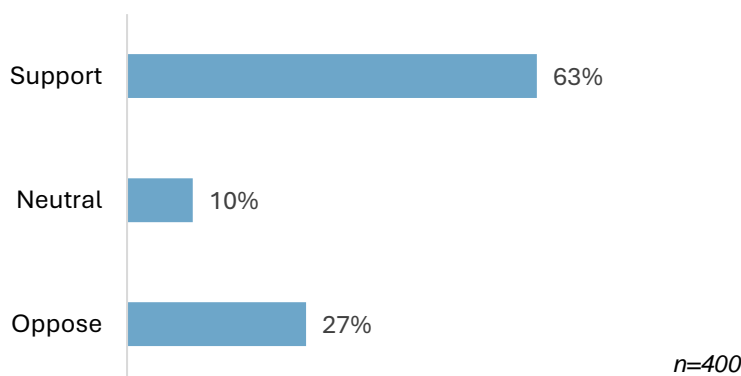


4.40. Respondents were asked to nominate what was most important to them when thinking about new transport options. Overall, the most common responses were reducing car use and congestion (23%), efficiency and accessibility (15%) and ease and flexibility (14%).

4.41. Younger people were significantly more likely to mention affordability (33%). Easy connections were relatively more important for those aged 65 years and over (8%).

4.42. There is relatively strong support for dedicated micromobility infrastructure. Respondents were asked whether they supported or opposed the construction of separated routes for those travelling by bicycle, mobility scooters, and e-scooters. Almost two in three (63%) support the idea (40% 'strongly support', 23% 'somewhat support') but a sizeable minority (27%) oppose it (16% 'strongly oppose' and 11% 'somewhat oppose'). One in ten (10%) were neutral.

Support for Dedicated Micromobility Infrastructure



- 4.43. Again, support is higher among younger residents and opposition higher among older residents.
- 4.44. One finding from the community survey that was completed as part of the evaluation of the e-scooter trial in 2022 which should be further highlighted in this report, is the fact that 59.4% of respondents to that survey indicated that better parking solutions are required to reduce footpath clutter.
- 4.45. As has been demonstrated by the Council's 2024 e-scooter parking audit, the effective and safe parking of e-scooters remains an issue within the community.

Commercial E-Scooter Usage and Trends

- 4.46. As of January 2025, commercial E-scooters companies: Beam, Neuron, Lime and/or Ario operate in the following cities across Australia:

Company	City	Micromobility device
Beam	Hobart	E-scooter
	Launceston	E-scooter
	Albury (NSW)	E-Scooter
	Bendigo (VIC)	E-scooter
	Adelaide Coast (SA)	E-scooter
	Adelaide (SA)	E-scooter
	Esperance (WA)	E-scooter
	Kalgoorlie (WA)	E-scooter
	Bunbury (WA)	E-scooter
	Vincent (WA)	E-scooter
	Rockingham (WA)	E-scooter
	Perth (WA)	E-scooter
	Stirling (WA)	E-scooter
	Geraldton (WA)	E-scooter
	Broome (WA)	E-scooter
	Darwin (NT)	E-scooter
	Port Douglas (QLD)	E-scooter
	Cairns (QLD)	E-scooter
	Mackay (QLD)	E-scooter
	Harvey Bay (QLD)	E-scooter
	Forster-Tuncurry (NSW)	E-Scooter
	Kogarah (NSW)	E-scooter
	Forster (NSW)	E-scooter
	Sydney (NSW)	E-bike
	Bendigo (VIC)	E-scooter
Neuron	Adelaide (SA)	E-scooter
	Busselton (WA)	E-scooter
	Perth (WA)	E-scooter
	Brisbane (QLD)	E-scooter
	Townsville (QLD)	E-scooter
	Rockhampton (QLD)	E-scooter
	Yeppoon (QLD)	E-scooter
	Bundaberg (QLD)	E-scooter
	Woolongong (NSW)	E-scooter

Company	City	Micromobility device
	Canberra (ACT)	E-scooter
Lime	Gold Coast (QLD)	E-bike
	Sydney, Waverly, Bayside, Inner West, Randwick and Woollahra (NSW)	E-bike
	North Sydney (NSW)	E-bike
	Melbourne (VIC)	E-bike
	Port Phillip (VIC)	E-bike
	Yarra (VIC)	E-bike
	Brisbane (QLD)	E-scooter and E-bike
Ario	Townsville/Magnetic Island (QLD)	E-scooter

- 4.47. While e-scooters are continuing to operate in the above cities, some cities, like Melbourne, have elected to withdraw approvals for commercial hire and ride e-scooter services.
- 4.48. At its Future Melbourne Committee meeting on 13 August 2024, the City of Melbourne considered a report that sought endorsement of additional requirements for share hire e-scooter operators and actions to better manage share hire e-scooters in the City of Melbourne. This included the Victorian Government's new safety and compliance measures and recommended additional requirements for operators.
- 4.49. In considering the report, however, the Committee voted to '*Direct management to withdraw from the Share E-Scooter Services Trial: Commercially Operated Share Scheme agreements with Neuron Mobility (Australia) Pty. Ltd and Lime Network Pty. Ltd ...*' The Committee further requested that '*... a report be brought to a future meeting of Melbourne City Council when more detail is known of the Victorian Government's forthcoming measures to improve safety and compliance for share e-scooter schemes...*' Melbourne Lord Mayor Nicholas Reece said the e-scooters posed an "*unacceptable safety risk*" to pedestrians in the busy and densely populated city.
- 4.50. The Sunshine Coast Council similarly voted to end its e-scooter hire-and-ride scheme in August 2024 due to incorrect use of e-scooters and reported community disruption. A survey showed that 60% of Sunshine Coast residents wanted the e-scooter scheme to end.
- 4.51. Locally, the Glenorchy City Council and Clarence City Council advise that they have received informal approaches from Beam to explore commercial hire-and-ride e-scooters operating within these cities. However, these approaches have not translated to any formal proposal and therefore, the political appetite for this to occur in these cities is currently unknown.
- 4.52. In New South Wales (NSW) it is currently legal to buy an e-scooter, however, it is illegal to use it on any streets and roads. The NSW Government is working closely with NSW councils to enable trials of shared hire-and-ride e-scooters. This is in response to the growing popularity of e-scooters and the need to safely manage their use.

- 4.53. The NSW trials are collecting information on demand for shared e-scooters, safety, and community sentiment. This will help inform the future of shared e-scooters in the state. A pathway to legalising e-scooters and fostering safer use of other micro-mobility devices is outlined in the new '*E-micromobility Action Plan*' which was released by the NSW Government in October 2024. Approved trials are currently occurring at Kogarah, Albury, Forster-Tuncurry and Wollongong Municipal Areas.
- 4.54. Perth (WA) is currently overseeing a two-year e-scooter trial with Neuron and Beam which started in March 2023.
- 4.55. Elsewhere in the world, hire-and ride e-scooter companies were ordered to remove their devices from Madrid's streets after officials said they failed to implement riding and parking controls.
- 4.56. Paris also banned hire-and-ride e-scooters in 2023, while officials in Rome restricted the use of e-scooters to prevent further injuries.

Private E-Scooter Usage

- 4.57. The legislative changes which occurred in 2021 to enable commercial hire and ride e-scooters to operate within the city also legalised the use of private e-scooters.
- 4.58. There is no legal requirement to register ownership of a privately owned e-scooter, so it is difficult to source data to determine the level of private e-scooter usage that is occurring within Hobart. Anecdotally it is clear that there is a reasonable level of travel that is occurring on private e-scooters within the city on a daily basis.
- 4.59. Private e-scooter usage is far less prominent than commercial e-scooter usage primarily due to the fact that they are generally stored out of sight when not used and are purchased from many different businesses including online outlets.
- 4.60. Private e-scooters differ from the hire and ride e-scooters physically as well. They are typically more powerful than hire and ride e-scooters and are often able to achieve much higher speeds. Importantly, they do not include mechanisms to enforce safety such as geofences for speed limiting, restricting riding and controlling parking. Also, as they do not report back to a central platform, they do not report usage patterns, which again, presents difficulties in reporting on their use within Hobart.

5. Legal, Risk and Legislative Considerations

- 5.1. Legislation governing the use of personal mobility devices (PMDs) was passed by the Tasmanian Parliament on 22 November 2021 via amendments to the *Traffic Act 1925*.
- 5.2. New rules for PMDs commenced on 1 December 2021 to allow PMDs on footpaths, shared paths, bicycle paths and some roads in Tasmania.

Both privately owned PMDs and e-scooter hire-and-ride commercial services are covered by these rules.

- 5.3. A person must be 16 years or older to ride a PMD. Children under 16 will still be permitted to use low-powered e-scooters which do not exceed 200 watts and 10 km/h.
- 5.4. PMDs can be used on:
 - (i) Footpaths
 - (ii) Shared paths
 - (iii) Bicycle paths
 - (iv) Local roads that have a speed limit of 50 km/h or less, no dividing lines or median strip, and only a single lane, if a one-way road.
- 5.5. Road managers, such as local councils, can identify additional roads with a speed limit of 50 km/h or less that PMDs can access. A list of these roads are available on the relevant road manager's website and in the Tasmanian Government Gazette if the road manager has declared any for PMDs to use.
- 5.6. PMDs cannot be ridden on a footpath where a 'no personal mobility device' sign has been installed.
- 5.7. PMD users must not exceed:
 - (i) 15 km/h on footpaths
 - (ii) 25 km/h on shared paths, bicycle paths and roads.
- 5.8. PMD users must also ride with due care and attention, and with consideration for other road users. This means that even if users comply with the speed limits for PMDs, they may be liable for a fine if they are riding irresponsibly.
- 5.9. PMD users must:
 - (i) Give way to pedestrians on footpaths and shared paths.
 - (ii) Travel a sufficient distance from pedestrians in order to stop safely to avoid a collision.
 - (iii) Keep to the left unless overtaking or where it is impracticable to do so.
 - (iv) Ride with due care and attention.
 - (v) Ride with consideration for other road users.

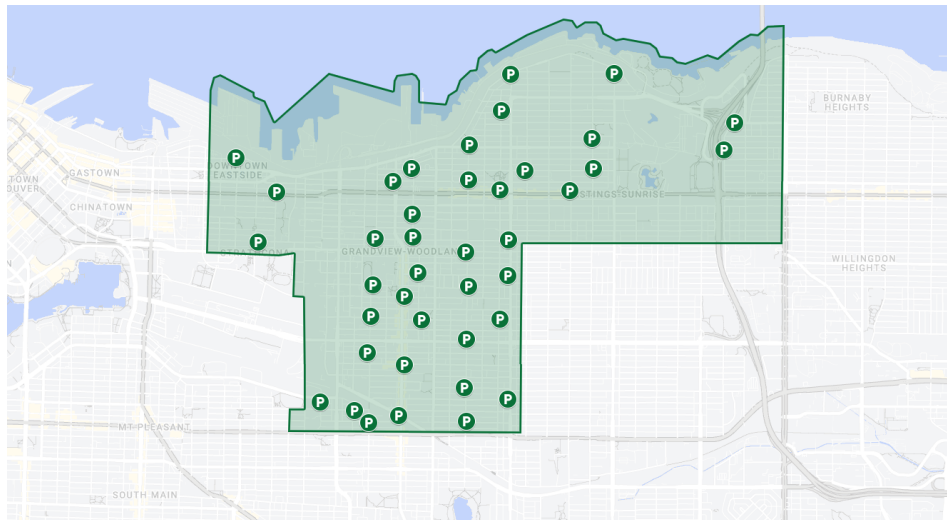
- 5.10. PMD users must not use a mobile phone while riding a PMD and must not ride under the influence of alcohol or drugs.
- 5.11. Tasmania Police enforce road and traffic laws. PMD users may face penalties, such as a fine, if they do not follow the road rules. Police also have the power to temporarily confiscate a PMD.

6. Discussion

- 6.1. In early to mid-2022 when e-scooters were new and novel for the Hobart community, the level of usage was extremely high, but this level of use was unrepresentative of the 'normalised' usage of these vehicles.
- 6.2. Since mid-2022, e-scooter usage has ranged between 13,000 to 19,000 trips per month covering between 23,000 to 29,000km, which is now considered to be the established hire-and-ride e-scooter usage range within Hobart.
- 6.3. Under the current permit, Beam has delivered a service which has provided (on average), 13,056 e-scooter trips per month, covering 19,735km, servicing 3,906 users and saving 3,709 kg of CO². Accordingly, e-Scooter usage is continuing to make a small contribution to reducing vehicle congestion within the city, as well as reducing greenhouse gas emissions. This is reinforced by the Council's community survey which found that 56% of respondents would use a taxi or personal car for a trip if a hire and ride e-Scooter was not available.
- 6.4. Beam is reporting that it receives an average of 3,906 discrete users per month, however, this is not currently distinguishable between local users or visitors/tourists.
- 6.5. E-scooter usage within Hobart is resulting in low numbers of incidents and/or injury with only three people being admitted to hospital as a result of an e-scooter incident during the permit period.
- 6.6. Additionally, there are low numbers of traffic offences being recorded involving e-scooter use.
- 6.7. The Council's (2024) community survey found that a slight majority of respondents (57%) support the continuation of e-scooter services in Hobart, with 22% opposing their continuation. Interestingly, 20% of respondents indicated that they were neutral.
- 6.8. The level of community support for the continuation of e-scooter services has increased by 4% since the community survey was conducted as part of the e-scooter trial assessment in 2022. Accordingly, it is reasonable to conclude that there is community support for continuing commercial hire and ride e-scooter use within Hobart.

- 6.9. Hire-and-ride e-scooter usage has become common place in cities across Tasmania, Queensland, ACT and the Northern Territory, with trials continuing in NSW and Perth. However, there are examples of councils (Melbourne and Sunshine Coast) that have made the decision to end hire-and-ride e-scooter use in their localities due to concerns with safety and incorrect use of the vehicles.
- 6.10. On balance, there are more cities throughout Australia that are continuing to provide e-scooter services, than ending the service.
- 6.11. Interestingly for Hobart, a small number of residents (21%) would prefer e-bikes to be provided, with 13% still preferring e-scooters. Notably 53% of respondents indicated that they had no preference either way in terms of the type of micromobility vehicle. Given that the Council does not currently offer e-bike hire-and-ride services, this is something that could be considered in future.
- 6.12. It is clear that the parking of e-scooters remains an issue for their continued use within the city. The Council's parking audit demonstrated that there are substantially more e-scooters being inappropriately parked than are being reported to Beam. The Council's audit found that 38% of e-scooters were inappropriately parked. Feedback suggests that the inappropriate parking of e-scooters is a concern for Hobart residents, with the Council's 2022 community survey finding that 59.4% of respondents indicating that better parking solutions are required to reduce footpath clutter.
- 6.13. One of the key features of hire and ride e-scooter operational models is that they are "dockless", meaning that they do not need to be returned to a particular location at the end of each trip. However, this is clearly resulting in issues related to e-scooters being parked in inappropriate locations and/or in a manner that makes them an obstacle or hazard for pedestrians of all abilities.
- 6.14. Another minor issue is the visual clutter that e-scooters introduce into the streetscape, particularly when parked untidily. Other council's report similar experiences, indicating that they receive a high number of complaints about e-scooter parking.
- 6.15. The Council has on-footpath zones marked on some footpaths to guide users within the CBD, and it is proposed to roll more of these out across the city. However, these zones have not served to address the inappropriate parking behaviour of users throughout the time that hire and ride e-scooters have operated in Hobart.
- 6.16. Beam are continuing to work to address this problem through the introduction of Designated Parking Zones in the Hobart CBD and the AI Parking Auditor tool. Beam is further proposing to financially penalise repeat offenders (e.g., riders who have parked improperly more than three times) and will manually audit the parking of any users who have parked poorly on three or more occasions.

- 6.17. While this may improve the overall level of parking, it is considered likely that inappropriate parking will remain a feature of a hire and ride e-scooter service. This is observable in any city that they operate.
- 6.18. In response to concerns over hire-and-ride e-scooters creating hazards on footpaths and streets, the City of Vancouver in Canada has recently introduced a hire-and-ride e-scooter service by Lime, which is based on the provision of docking infrastructure.
- 6.19. In a first for Lime, docking stations are provided on public or private land, in parks and street rights-of-way and are located every 200 to 300 metres. The city is phasing the introduction of e-scooters through until 2028 and have entered a contract with Lime that spans an initial five-year term, with options to extend (up to 20 years). The current parking stations are shown in the figure below:



- 6.20. The City of Vancouver was insistent that docking was the only way that they would move forward with a hire and ride e-scooter service and when it issued a Request for Proposals (RFP) seeking an operator to design, implement and manage a publicly accessible e-scooter system in November 2023, it included design parameters such as the requirement for parking stations.

7. Strategic Planning and Policy Considerations

- 7.1. Achievement against the Capital City Strategic Plan are outlined in the report.

8. Financial and Economic Considerations

- 8.1. Financial Considerations:

	2024-25	2025-26	2026-27	2027-28
	\$'000	\$'000	\$'000	\$'000
Revenue				
Existing Revenue	90	0	0	0

Additional Revenue				
Total Revenue	90	0	0	0
Expenditure				
Operating	90	0	0	0
Capital				
Total Expenditure	90	0	0	0
Net Cost	0	0	0	0

FTE Impact

	2024-25	2025-26	2026-27	2027-28
Change in FTE	0	0	0	0

Detail the change in the level of full-time equivalents within the group should the requested level of additional funding be required.

8.1.1. The full-year permit fee for e-scooters is estimated to be \$90,000 in 2024-25. With the current permit expiring in May 2025, no additional revenue has been allocated for permit fees over the Forward Estimates.

8.1.2. Costs associated with the provision of the e-scooter permit include Ride Report Renewal fees and contractor services from Ipsos.

9. Climate and Sustainability Considerations

9.1. These are outlined in this report.

10. Implementation and Communications Plan

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

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



Michael Stretton
CHIEF EXECUTIVE OFFICER

Date: 19 February 2025

File Reference: F25/9713

Attachment A: Hobart Micromobility - Community Survey (Supporting information) 

12. Removal of Sealed Plan Notation - 58A Napoleon Street, Battery Point
File Ref: F25/3547; 15/153-814

Report of the Property Officer, Manager Legal and Corporate Governance and Acting Director Corporate Services of 18 February 2025 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Removal of Sealed Plan Notation - 58A Napoleon Street, Battery Point

Background

1. In September 2024, Council's Planning team received an enquiry regarding proposed landscape work at the rear of 58A Napoleon Street, Battery Point.
2. While investigating the enquiry planning officers identified that the parcel of land in question was on a separate title from the primary parcel of 58A Napoleon Street, Battery Point and was described as 'Set Apart for Public Recreation' (see **Attachment A**). However, the investigation also identified that the smaller a parcel of land was registered in the name of the owner of the primary parcel (see **Attachment B**) and was zoned "Inner Residential" rather than "Open Space" or "Recreation".
3. Further investigation was undertaken to determine whether the smaller parcel of land was of any value as public recreational space or to Council more broadly. The parcel of land is inaccessible to the public unless private property is crossed, a boat is used or its low tide. The land has never been managed or maintained by Council as public recreational space. The Open Space Group advised that the land was of little value as public recreational space unless it was required for the proposed Battery Point Walkway.
4. The Strategic Projects Group who are investigating the proposed Battery Point Walkway were consulted. The Strategic Projects Group advised that the parcel of land was not required for the proposed Battery Point Walkway.
5. The Legal and Property team considered whether the Council could claim the land back in any event. It was noted that the 'Set Apart for Public Recreation' notation was put in place in 1988 as part of a subdivision by the original property owners. The fee simple should have been transferred to the Council for a nominal amount under s468(9) of the *Local Government Act 1962* (Tas). However, for an unknown reason this did not occur.
6. The property been sold a number of times since the original property owners owned the land. Had the property still be owned by the original subdividers Council could have argued that the property was held on trust for Council. However, due to the subsequent transfers such an argument is difficult to

make due to the principle of indefeasibility of title. This is the principle that if you are the registered proprietor of land your ownership is only subject to other interests registered on title and cannot otherwise be challenged by third parties. The notation in and of itself does not constitute a registered interest.

7. The Rates Team confirmed that the smaller parcel and the larger parcel have the same Property ID and the property owner has been paying rates for both properties.
8. The process for amending a sealed plan can be found under section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. This can occur by an own motion of council, (103(1)(a) or via 103(1)(b) on the application of any person having an interest in the land subject to the plan. Council is then required to serve all persons appearing on the relevant register (held by the Land Titles Office) and if an affected person to be heard on the matter Council is required to conduct a 'hearing.'

Discussion

9. The outcome of the investigation was that as the property has been sold by the original subdivider, the current owner pays rates and that the Council does not actively manage the land suggests that Council would have significant difficulty trying to rely on s468(9) of the *Local Government Act 1962* (Tas) to obtain ownership of the land.
10. If Council wanted to obtain ownership of the land it would need to rely on its powers under the *Land Acquisition Act 1993* (Tas). However, the property is of little to no value as public recreation land. Council officers do not recommend that the land is acquired.
11. The notation risks causing confusion and the owner has requested that the notation be reformed. Council officers are supportive of the removal of notation for the reasons set out above.
12. Given the ownership, zoning, and location of the property the removal of the notation is unlikely to be controversial. If the notation was to remain Council would need to obtain the fee simple for the property before it could be used for public recreation.
13. To remove the notation Council will need to follow the process set out in s103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (Tas). This involves notifying any affected property owners and lodging documents with the Land Titles Office.

RECOMMENDATION**That:**

- 1. The Council resolve to support the removal of the 'Set Apart for Public Recreation' notation on Sealed Plan 47059 as shown on Attachment A to this report.**
- 2. The Council delegate authority to the Chief Executive Officer to do all things necessary to remove the notation referred to above in accordance with the Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas).**

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



Michelle Wickham
ACTING DIRECTOR CORPORATE SERVICES

Date: 18 February 2025
File Reference: F25/3547; 15/153-814

Attachment A: Sealed Plan of Land - SP 47059 (Supporting information) 
Attachment B: Certificates of Title - Lots 1 and 2 (Supporting information) 

13. Procurement - Quotation Exemption Report
File Ref: F25/8428

Report of the Manager Rates, Procurement and Risk and Acting Director
Corporate Services of 12 February 2025 and attachment.

Delegation: Council

REPORT TITLE: PROCUREMENT - QUOTATION EXEMPTION REPORT

REPORT PROVIDED BY: Manager Rates, Procurement and Risk
Acting Director Corporate Services

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 2024 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 2024.
- 2.4. It is proposed that the Committee note the exemptions from the requirement to seek three written quotes granted for the period 1 October to 31 December 2024.

3. Recommendation

That the Council note the exemptions granted from the requirement to seek three written quotations for the period 1 October to 31 December 2024, marked as Attachment A to this report.

4. Background

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

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

4.6. For the period 1 October to 31 December 2024 there were three exemptions granted, where expenditure was between \$50,000 and \$249,999 and therefore three written quotations were required to be sought in line with the Code.

4.7. One exemption was granted on the grounds that the services could only be supplied by a particular supplier and no reasonable alternative existed. One exemption was granted on the grounds that it was additional deliveries of services by the original supplier intended as extensions or continuing services. One exemption was granted on two grounds, firstly because no quotations were received from a Request for Quotation process off the City's Panel of Providers and secondly, there was insufficient time to seek further quotes thereafter.

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 2024.

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

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

7. Capital City Strategic Plan

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

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

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

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

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

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




Lara MacDonell
**MANAGER RATES, PROCUREMENT
AND RISK**



Michelle Wickham
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 12 February 2025
File Reference: F25/8428

Attachment A: Report - Quotation Exemption Granted (3 Quote) 1 October to 31 December 2024 (Supporting information) 

14. Quarterly Financial Report - 31 December 2024
File Ref: F25/9739

Report of the Acting Director Corporate Services of 12 February 2025.

Delegation: Council

REPORT TITLE: QUARTERLY FINANCIAL REPORT - 31 DECEMBER 2024**REPORT PROVIDED BY:** Acting Director Corporate Services**1. Report Summary**

- 1.1. The purpose of this report is to provide Council with the quarterly financial report as at 31 December 2024.
- 1.2. As at 31 December 2024:
- 1.2.1. the City is reporting a surplus of \$13.8 million when compared to the year-to-date budget for operating activities;
- 1.2.2. the full year operating budget is forecast to be a surplus of \$1.3 million;
- 1.2.3. the City had spent \$8.5 million, or 22 per cent of the full year Budget for capital activities, including plant and equipment.

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

Category	Year to Date				Full Year			Forecast Full Year Result
	Budget (\$,000)	Actual (\$,000)	Variance (\$,000)	Variance %	Original Budget (\$,000)	Revised (Approved) Budget (\$,000)	Revised (Pending) Budget (\$,000)	
Revenue								
Rates and Charges	57,809	64,322	6,513	11.3	115,618	115,618	(92)	115,526
Fire Levy Commission	315	302	0	0.0	599	599	0	599
Fines	4,368	2,809	(1,559)	(35.7)	8,735	8,735	0	8,735
Fees and Charges - Car Parks	7,142	7,487	345	4.8	14,240	14,240	0	14,240
Fees and Charges - On Street Parking	4,052	3,628	(424)	(10.5)	8,079	8,079	0	8,079
Other Fees and Charges	10,247	10,787	540	5.3	18,334	18,334	0	18,334
Operating Grants	1,398	1,898	500	35.8	4,837	4,837	149	4,986
Interest	1,331	2,335	1,004	75.5	2,661	2,661	0	2,661
Rents	1,743	2,129	387	22.2	3,493	3,493	28	3,522
Tas Water Distributions	1,086	1,086	0	0.0	2,606	2,606	0	2,606
Total Revenue	89,489	96,782	7,306	8.2	179,204	179,204	85	179,290
Expenditure								
Labour	38,389	35,776	2,613	6.8	77,420	77,420	629	78,049
Materials and Services	22,209	20,619	1,591	7.2	39,635	39,635	1,953	41,588
Energy Costs	1,235	1,235	0	0.0	2,471	2,471	0	2,471
Finance Costs	455	437	18	4.0	1,346	1,346	0	1,346
Fire Levy	7,553	7,553	0	0.0	15,105	15,105	0	15,105
Depreciation	16,000	14,665	1,336	8.3	37,000	37,000	(5,000)	32,000
Asset Write-offs	750	133	617	82.3	1,500	1,500	0	1,500
Bad Debts	0	0	(0)	(20.4)	401	401	0	401
Other Expenses	2,388	2,110	278	11.6	5,500	5,500	(18)	5,482
Total Expenditure	88,980	82,527	6,452	7.3	180,377	180,377	(2,436)	177,941
Underlying Result	509	14,255	13,758	2,701.9	(1,173)	(1,172)	2,521	1,349

2.2. Year-to-date Variations:

- 2.2.1. As at 31 December 2024, Revenue is \$7.3 million above budget. This is primarily due to:
 - 2.2.1.1. Rates and Charges are \$6.5 million above budget, reflecting customers who pay their full rates in the first quarter; and
 - 2.2.1.2. Interest revenue is \$1 million above budget, primarily due to interest rates remaining high.
 - 2.2.1.3. The increases are partly offset by Fines, which are \$1.6 million below budget.
- 2.2.2. As at 31 December 2024, Expenditure is \$6.5 million below budget. This is primarily due to:
 - 2.2.2.1. \$2.6 million in Labour expenditure reflecting vacancies across the organisation and the timing relating to finalising the new Enterprise Agreement;
 - 2.2.2.2. \$1.6 million in Materials and Services predominately related to lower contractor payments; and
 - 2.2.2.3. \$1.3 million in Depreciation which is reflective of a timing issue.

2.3. Operating Variation Requests

2.3.1. The following amendments to the original 2024-25 Budget Estimates are proposed:

Category	Net Amount	Transfer From	Transfer To	Reason
Operational Expense Decrease	\$5,000,000		J000046 – Finance General	An updated estimate on the depreciation forecast has resulted in a saving of \$5 million compared to initial budget estimates
Operational Expense Increase	\$1,600,000		J000338 – Waste and Recycling	Using a component of the depreciation saving to align contractor budgets in Waste and Recycling.
Operational Expense Increase	\$200,000		J000028 – People and Culture	Using a component of the depreciation saving for additional training course budget
Operational Expense	\$600,000		J000046 – Finance General	Using a component of the depreciation saving for rest of year costs relating to additional positions for the organisational realignment.
Operational Revenue Decrease	\$92,000		J000049 - Rates	Reducing Rates equivalents for UTAS properties 96 Bathurst St and 40 Brooker Avenue as they are now subject to normal rates.
Operational Revenue Increase	\$165,000		J002223- Disaster Ready Funding	To record Disaster Ready grant
Operational Expenditure Increase	\$165,000		J002223- Disaster Ready Funding	To record Disaster Ready grant

Category	Net Amount	Transfer From	Transfer To	Reason
Operational Revenue Decrease	\$18,750		J000303 – Tas Tourism Grant	Align budget with 24/25 TTIC grant amount of \$131,250. Currently \$150,000.
Operational Expenditure Decrease	\$17,850		J000284 – Mathers House	Update fee waivers for Mathers/Criterion house hire fees based on prior council resolution.
Operational Revenue budget decrease	\$22,410		J000284 – Mathers House	Update fee waivers for Mathers/Criterion house hire fees based on prior council resolution.
Operational Revenue Increase	\$3,000		J000284 – Mathers House	To record Building Digital Skills grant
Operational Expenditure Increase	\$3,000		J000284 – Mathers House	To record Building Digital Skills grant

2.4. Capital Activities:

Capital Category	Year to Date				Original Budget	Full Year	
	Budget	Actual	Variance	Variance		Revised (Approved) Budget	Revised (Pending) Budget
	\$'000	\$'000	\$'000	%	\$'000	\$'000	\$'000
New Assets	2,150	812	1,338	62.3	6,774	6,979	(362)
Renewal Assets	13,016	4,273	8,743	67.2	19,346	21,090	(272)
Upgrade Assets	4,964	1,363	3,601	72.5	6,030	6,485	(243)
Expensed	220	46	174	79.0	100	450	0
Plant and Equipment	1,750	2,006	(256)	(14.6)	3,500	3,500	0
Total	22,100	8,499	13,600	61.5	35,751	38,505	(877)

2.4.1. As at 31 December 2024, the Capital Works Program expenditure of \$8.5 million was \$13.6 million below the year-to-date budget.

2.4.2. At the end of the December 2024 quarter, 22 per cent of the total budget capital budget of \$38.5 million has been expended.

2.5. Capital Variation Requests

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

Category	Net Amount	Transfer From	Transfer To	Reason
Capital Transfer	\$0	Inner City Cycle Way Concrete Repairs - \$22,000.	Program Contingency FY24/25 - \$22,000.	Cancellation of project.
Capital Transfer	\$0	Program Contingency FY24/25 - \$30,000.	24-25 Parks Pavement - \$30,000.	Edge Avenue playground pathway upgrade.
Capital Transfer	\$0	Program Contingency FY24/25 - \$94,057.	Safer Communities Grant Funding - \$94,057.	Repayment of unspent funds from FY24.
Capital Transfer	\$0	Program Contingency FY24/25 - \$150,000.	DKHAC Raised Tile Concourse Area - \$150,000.	Error correction for DKHAC reallocation budget adjustment.

Category	Net Amount	Transfer From	Transfer To	Reason
Grant Funding Decrease	(\$170,000)	Collins Street Streetscape Improvement - \$170,000.		Return funds to grantor.
Capital Expenditure Decrease	(\$170,000)	Collins Street Streetscape Improvement - \$170,000.		Reduce expenditure in line with reduced revenue.
Capital Transfer	\$0	Program Contingency FY24/25 - \$170,000.	Collins Street Streetscape Improvement - \$170,000.	Collins St Cycleway – Council Resolution - \$170,000 from Program Contingency to replace grant funds.
Capital Transfer	\$0	Program Contingency FY24/25 - \$7,000.	2024-25 Parks Fences, Walls & Edging - \$7,000.	St David's Park sandstone edging, installation of sandstone edging and fencing for tree protection and mitigate homeless people from camping under the tree.
Capital Transfer	\$0	Program Contingency FY24/25 - \$112,005.	Castray Esplanade Light Pole Replacement - \$112,005.	Castray Esplanade light Pole Replacement additional budget to complete remaining five poles
Capital Transfer	\$0	J002476 – Fire Trail Renewal - \$207,693.	J002287 - Program Contingency FY24/25 - \$207,693.	Proposal to postpone/cancel Forest Road fire trail due to planning complexities.

Category	Net Amount	Transfer From	Transfer To	Reason
Capital Transfer	\$0	Program Contingency FY24/25 - \$200,000.	Pipeline Track Extension – City to Mountain - \$200,000.	Pipeline track extension tender submission above the allocated budget.
Capital Transfer	\$0	Program Contingency FY24/25 - \$40,000.	Pipeline Track Resurface - \$40,000.	Pipeline track extension tender submission above the allocated budget.
Capital Transfer	\$0	Program Contingency FY24/25 - \$78,000.	Benjafield Terrace – Gordon to Ogilvie Street concrete footpath - \$78,000.	Benjafield Terrace: Gordon to Ogilvie concrete footpath now requiring additional budget to complete scope of works.
Grant Funding Decrease	(\$250,000)	Greater Hobart Ferry Service Expansion - \$250,000.		Scope of the works for 2024-25 has been confirmed. This will result in a reduction of \$250,000 external funding and savings of \$250,000 City of Hobart funding.
Capital Expenditure Decrease	(\$250,000)	Greater Hobart Ferry Service Expansion - \$250,000.		Reduce expenditure in line with reduced revenue.
Capital Transfer	\$0	Greater Hobart Ferry Service Expansion - \$250,000.	Program Contingency FY24/25 - \$250,000.	Scope of the works for 2024-25 has been confirmed. This results in \$250,000 City of Hobart funding not being required in 2024-25.

Category	Net Amount	Transfer From	Transfer To	Reason
Capital Transfer	\$0	Program Contingency FY24/25 - \$23,000.	New Town Oval Cycle Track Partial Replacement - \$23,000.	Funding for urgent repairs/replacement.
Capital Transfer	\$0	Program Contingency FY24/25 - \$2,000.	Domain Athletic Centre New Shelter - \$2,000.	Minor scope creep and additional funding requirements.
Capital Transfer	\$0	Program Contingency FY24/25 - \$72,300.	Sandy Bay Road 747-753 stormwater connection - \$72,300.	An additional budget was required to provide wall shoring to protect the safety of workers and their work. In addition, the shared path was repaired to ensure safe access for vehicles travelling to uphill properties.
Capital Transfer	\$0	Program Contingency FY24/25 - \$75,000.	Town Hall Ballroom ceiling access safety upgrades - \$75,000.	New project request to enable safety upgrades to occur.
Capital Transfer	\$0	Augusta Road – Alt Na Craig to Clare – Ash RFP - \$297,353.	Program Contingency FY24/25 - \$297,353.	Project cancelled, return funds back to the contingency
Capital Transfer	\$0	24-25 Reseal Prep Program 1 - \$500,000.	Program Contingency FY24/25 - \$500,000.	Project completed, return the remaining funds to the contingency.
Capital Transfer	\$0	Liverpool Street – Murray Street intersection – inlay -	Program Contingency FY24/25 - \$63,218.	Project completed, return the remaining funds to the contingency.

		\$63,218.		
Category	Net Amount	Transfer From	Transfer To	Reason
Capital Transfer	\$0	Program Contingency FY24/25 - \$25,000.	Cornelian Bay Foreshore convenience design - \$25,000.	Progress design of project.

2.6. Loans and Investments

2.6.1. As at 31 December 2024, the City had:

- 2.6.1.1. Four loans with an outstanding balance of \$37.4 million;
- 2.6.1.2. 21 term deposit investments, with the total invested being \$73 million; and
- 2.6.1.3. \$20 million in cash, in addition to the investments, which includes \$1.9 million in the Heritage Account.

3. Recommendation**That:**

1. **The Quarterly Financial Report for the period ending 31 December 2024 be noted; and**
2. **The proposed operational and capital variation requests to the 2024-25 Budget Estimates be approved:**

(i) Operational Variations:

Category	Net Amount	Transfer From	Transfer To	Reason
<i>Operational Expense Decrease</i>	\$5,000,000		<i>J000046 – Finance General</i>	<i>An updated estimate on the depreciation forecast has resulted in a saving of \$5 million compared to initial budget estimates</i>
<i>Operational Expense Increase</i>	\$1,600,000		<i>J000338 – Waste and Recycling</i>	<i>Using a component of the depreciation saving to align contractor budgets in Waste and Recycling.</i>
<i>Operational Expense Increase</i>	\$200,000		<i>J000028 – People and Culture</i>	<i>Using a component of the depreciation saving for additional training course budget</i>
<i>Operational Expense</i>	\$600,000		<i>J000046 – Finance General</i>	<i>Using a component of the depreciation saving for rest of year costs relating to additional positions for the organisational</i>

				<i>realignment.</i>
<i>Operational Revenue Decrease</i>	<i>\$92,000</i>		<i>J000049 - Rates</i>	<i>Reducing Rates equivalents for UTAS properties 96 Bathurst St and 40 Brooker Avenue as they are now subject to normal rates.</i>
<i>Operational Revenue Increase</i>	<i>\$165,000</i>		<i>J002223- Disaster Ready Funding</i>	<i>To record Disaster Ready grant</i>
<i>Operational Expenditure Increase</i>	<i>\$165,000</i>		<i>J002223- Disaster Ready Funding</i>	<i>To record Disaster Ready grant</i>
<i>Operational Revenue Decrease</i>	<i>\$18,750</i>		<i>J000303 – Tas Tourism Grant</i>	<i>Align budget with 24/25 TTIC grant amount of \$131,250. Currently \$150,000.</i>
<i>Operational Expenditure Decrease</i>	<i>\$17,850</i>		<i>J000284 – Mathers House</i>	<i>Update fee waivers for Mathers/Criterion house hire fees based on prior council resolution.</i>
<i>Operational Revenue budget decrease</i>	<i>\$22,410</i>		<i>J000284 – Mathers House</i>	<i>Update fee waivers for Mathers/Criterion house hire fees based on prior council resolution.</i>
<i>Operational Revenue Increase</i>	<i>\$3,000</i>		<i>J000284 – Mathers House</i>	<i>To record Building Digital Skills grant</i>
<i>Operational Expenditure Increase</i>	<i>\$3,000</i>		<i>J000284 – Mathers House</i>	<i>To record Building Digital Skills grant</i>

(ii) Capital Variations:

Category	Net Amount	Transfer From	Transfer To	Reason
<i>Capital Transfer</i>	\$0	<i>Inner City Cycle Way Concrete Repairs - \$22,000.</i>	<i>Program Contingency FY24/25 - \$22,000.</i>	<i>Cancellation of project.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$30,000.</i>	<i>24-25 Parks Pavement - \$30,000.</i>	<i>Edge Avenue playground pathway upgrade.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$94,057.</i>	<i>Safer Communities Grant Funding - \$94,057.</i>	<i>Repayment of unspent funds from FY24.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$150,000.</i>	<i>DKHAC Raised Tile Concourse Area - \$150,000.</i>	<i>Error correction for DKHAC reallocation budget adjustment.</i>
<i>Grant Funding Decrease</i>	<i>(\$170,000)</i>	<i>Collins Street Streetscape Improvement - \$170,000.</i>		<i>Return funds to grantor.</i>
<i>Capital Expenditure Decrease</i>	<i>(\$170,000)</i>	<i>Collins Street Streetscape Improvement - \$170,000.</i>		<i>Reduce expenditure in line with reduced revenue.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$170,000.</i>	<i>Collins Street Streetscape Improvement</i>	<i>Collins St Cycleway – Council Resolution - \$170,000 from Program</i>

			ent - \$170,000.	Contingency to replace grant funds.
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$7,000.</i>	<i>24-25 Parks Fences, Walls & Edging - \$7,000.</i>	<i>St David's Park sandstone edging, installation of sandstone edging and fencing for tree protection and mitigate homeless people from camping under the tree.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$112,005.</i>	<i>Castray Esplanade Light Pole Replacement - \$112,005.</i>	<i>Castray Esplanade light Pole Replacement additional budget to complete remaining five poles</i>
<i>Capital Transfer</i>	\$0	<i>J002476 – Fire Trail Renewal - \$207,693.</i>	<i>J002287 - Program Contingen cy FY24/25 - \$207,693.</i>	<i>Proposal to postpone/cancel Forest Road fire trail due to planning complexities.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$200,000.</i>	<i>Pipeline Track Extension – City to Mountain - \$200,000.</i>	<i>Pipeline track extension tender submission above the allocated budget.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$40,000.</i>	<i>Pipeline Track Resurface - \$40,000.</i>	<i>Pipeline track extension tender submission above the allocated budget.</i>
<i>Capital Transfer</i>	\$0	<i>Program Contingency FY24/25 - \$78,000.</i>	<i>Benjafield Terrace – Gordon to Ogilvie Street concrete footpath - \$78,000.</i>	<i>Benjafield Terrace: Gordon to Ogilvie concrete footpath now requiring additional budget to complete scope of works.</i>

Grant Funding Decrease	(\$250,000)	Greater Hobart Ferry Service Expansion - \$250,000.		Scope of the works for 2024-25 has been confirmed. This will result in a reduction of \$250,000 external funding and savings of \$250,000 City of Hobart funding.
Capital Expenditure Decrease	(\$250,000)	Greater Hobart Ferry Service Expansion - \$250,000.		Reduce expenditure in line with reduced revenue.
Capital Transfer	\$0	Greater Hobart Ferry Service Expansion - \$250,000.	Program Contingency FY24/25 - \$250,000.	Scope of the works for 2024-25 has been confirmed. This results in \$250,000 City of Hobart funding not being required in 2024-25.
Capital Transfer	\$0	Program Contingency FY24/25 - \$23,000.	New Town Oval Cycle Track Partial Replacement - \$23,000.	Funding for urgent repairs/replacement.
Capital Transfer	\$0	Program Contingency FY24/25 - \$2,000.	Domain Athletic Centre New Shelter - \$2,000.	Minor scope creep and additional funding requirements.
Capital Transfer	\$0	Program Contingency FY24/25 - \$72,300.	Sandy Bay Road 747-753 stormwater connection - \$72,300.	An additional budget was required to provide wall shoring to protect the safety of workers and their work. In addition, the shared path was

				<i>repaired to ensure safe access for vehicles travelling to uphill properties.</i>
<i>Capital Transfer</i>	<i>\$0</i>	<i>Program Contingency FY24/25 - \$75,000.</i>	<i>Town Hall Ballroom ceiling access safety upgrades - \$75,000.</i>	<i>New project request to enable safety upgrades to occur.</i>
<i>Capital Transfer</i>	<i>\$0</i>	<i>Augusta Road – Alt Na Craig to Clare – Ash RFP - \$297,353.</i>	<i>Program Contingency FY24/25 - \$297,353.</i>	<i>Project cancelled, return funds back to the contingency</i>
<i>Capital Transfer</i>	<i>\$0</i>	<i>24-25 Reseal Prep Program 1 - \$500,000.</i>	<i>Program Contingency FY24/25 - \$500,000.</i>	<i>Project completed, return the remaining funds to the contingency.</i>
<i>Capital Transfer</i>	<i>\$0</i>	<i>Liverpool Street – Murray Street intersection – inlay - \$63,218.</i>	<i>Program Contingency FY24/25 - \$63,218.</i>	<i>Project completed, return the remaining funds to the contingency.</i>
<i>Capital Transfer</i>	<i>\$0</i>	<i>Program Contingency FY24/25 - \$25,000.</i>	<i>Cornelian Bay Foreshore convenience design - \$25,000.</i>	<i>Progress design of project.</i>

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
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 12 February 2025
File Reference: F25/9739

15. Line Marking on Local Government Roads
File Ref: F25/9733

Report of the Manager City Transport and Director Strategic and Regulatory Services of 17 February 2025.

Delegation: Council

REPORT TITLE: LINE MARKING ON LOCAL GOVERNMENT ROADS**REPORT PROVIDED BY:** Manager City Transport
Director Strategic and Regulatory Services**1. Report Summary and Key Issue**

- 1.1. The issue of who has responsibility for Line Marking on Local Government roads has been raised in recent months, due to increased awareness that the task is not being adequately attended to and has not been for some time.
- 1.2. The reason for this appears to be a result of confusion that exists between the State Government and Local Government, which is perhaps best summed up in a State Roads Audit completed by the State Government in 2016, which says:
 - 1.2.1. *“Line marking on local government roads is presently carried out under a head contract administered by State Growth. An allocation of \$860 000 is budgeted each year and is spent across councils on a first in first served basis. Once the limit is reached councils have the option to fund their own line marking. A number of councils when undertaking new works or major upgrades will simply include line marking as part of the project and fund the component part of the project from their own funds. There has been a long standing custom and practice arrangement that the Tasmanian Government is responsible for line marking, although is not a legislated responsibility. While not a large outgoing, it does raise the issue of the whether individual road managers should be responsible for their own line marking on their network.*
- 1.3. The Audit recommended: **‘That a process be established to clarify and resolve the uncertainty around road management functions related to line marking, traffic lights, street lighting and bus stops.**
- 1.4. However, at this stage a process has not been established to resolve the uncertainty, which is evidenced by the Council’s website which currently provides the following direction in relation to line marking
 - 1.4.1. “...The City manages yellow 'no stopping' linemarking, and lines associated with parking bays. All other linemarking is the responsibility of the Tasmanian Government's Department of State Growth. Any issues relating to the need for new linemarking or the maintenance of existing linemarking should be directed to the [Department of State Growth](#).”
- 1.5. This issue is relevant to most local government jurisdictions in Tasmania and therefore warrants a response from the LGAT. It is proposed that the Council seeks a motion to be considered at the next available LGAT meeting to advocate for greater funding commitment

from the State Government to meet essential safety requirements noting that it currently collects revenue for such initiatives.

- 1.6. It is open to the Council to fund the backlog of line marking not currently funded by the State Government, however this is estimated to cost in the order of \$1.5 million over three years with an ongoing renewal of \$250K after that time. If this was to be funded then it may be interpreted as an acceptance of Council's responsibility for this task ongoing.

2. **Recommendation**

That the Council endorse a motion to be considered at the next LGAT meeting to request the State Government to urgently increase the allocation of State based funds for line marking allocations on Local Government roads to more closely align with the quantum required to meet safe operating standards.

3. **Discussion and Background**

- 3.1. Road line marking is an important function which must be adequately funded and resourced. Indeed, the *Towards Zero Tasmanian Road Safety Strategy 2017-2026* includes a direction to 'Reduce serious casualties through improved delineation (e.g. line marking)'.
- 3.2. Although a nominal amount of \$850,000 has been allocated, currently the State Government only provides between \$400,000-\$450,000 in funding to Local Government for line marking which is sourced from the State's Road Safety Levy. The Road Safety Advisory Council sign off on the funding that is provided.
- 3.3. The City of Hobart has recently completed a line marking inventory analysis, which has identified that the city requires a catch up spend of \$500,000 per year over 3 years (\$1.5M) and then an annual spend of \$250,000 thereafter to maintain its line markings. This is based on an assessment that 20% of the line marking should be renewed each year for the next 3 years (to catch up) and, after that time, 10% of the line marking should be replaced each year.
- 3.4. In recent years, the City of Hobart has received an estimated \$15,000 a year from the State Government's annual line marking allocation which has been insufficient to fund the amount of line marking renewals nominated each year by offices. Given that the Council has now established that the annual line marking task is around \$250,000, it demonstrates that the current State Government allocation across the State is manifestly inadequate.
- 3.5. There is clearly a need for the State Government, who collect or receive fees and taxes for road maintenance and improvements, to allocated adequate funding for Local Government in ensuring the requirements

for adequate road line markings to meet current safety standards. Given this is a state wide issue for the Local Government sector it is suggested that the motion be presented to the next LGAT meeting requesting it to formally approach the State Government seeking this urgent increase.

- 3.6. Council may also wish to consider if it is desirable to allocate additional funding to accelerate addressing the backlog of maintenance of line marking on its roads.

4. Legal, Risk and Legislative Considerations

- 4.1. In the past, the State Government took responsibility for maintenance of line marking with little or no involvement from Local Government.
- 4.2. Over the last decade and a half, there has been a progressive movement for the State Government to make Local Government more responsible for managing roads under Local Government control.
- 4.3. This has included:
 - 4.3.1. Asking that local government provide the state with a prioritised list each year of the linemarking that they should maintain;
 - 4.3.2. Issuing a legal instruction to local government making local government responsible in 2015 for approving and installing changes to parking and traffic signage and linemarking.
 - 4.3.3. Changing the language associated with the state government line marking maintenance program to be essentially a grant towards the local government cost of maintaining linemarking.
- 4.4. The intent of providing line marking on our roads is fundamentally to guide and to improve the safety for road users. It is critical that adequate funding is provided to ensure that roads are suitably line marked to meet current road safety standards.
- 4.5. It should also be noted that the State Government is commencing a project to review and modify the legislation (*The Local Government (Highways) Act 1982*, and the *Roads & Jetties Act 1935*) that set out the roles and responsibilities of State and Local Government in terms of road management in Tasmania. It is expected that this process would remove any ambiguity about responsibility for these matters, and given the State Government's apparent evolving position that these are Local Government responsibilities, it is likely they will seek to have the legislation reflect this.

5. Strategic Planning and Policy Considerations

- 5.1. No major strategic planning considerations.

6. Financial and Economic Considerations

- 6.1. There are significant financial considerations around taking on this responsibility. As outline above, a recent line marking inventory analysis has identified that the city requires a catch up spend of \$500,000 per year over 3 years (\$1.5M) and then an annual spend of \$250,000 thereafter to maintain its line markings. This is based on an assessment that 20% of the line marking should be renewed each year for 3 years (to catch up) and, after that time, 10% of the line marking should be replaced each year.
- 6.2. It should be noted that Council receives an estimated \$15,000 each in recent years in line marking works under the State Government's allocation.

7. Climate and Sustainability Considerations

- 7.1. Not applicable

8. Community and Business Engagement and Collaboration

- 8.1. Not applicable

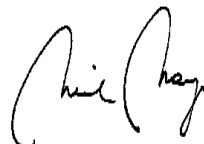
9. Implementation and Communications Plan

- 9.1. If funding is approved, Council would need to enter into an agreement with an appropriate line marking contractor to undertake this work.
- 9.2. This work would be similar to the existing road maintenance program undertaken each year by Council, and it is anticipated that the communications would be undertaken in a similar way.
- 9.3. There would be an opportunity to advise the community that Council will be undertaking this work.
- 9.4. Discussion with other Councils would be undertaken on this matter through the discussion of the proposed motion at LGAT seeking additional State Government funding.

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.



Daniel Verdouw
MANAGER CITY TRANSPORT



Neil Noye
**DIRECTOR STRATEGIC AND
REGULATORY SERVICES**

Date: 17 February 2025
File Reference: F25/9733

16. Targeted Amendments to the Local Government Act 1993
File Ref: F25/7368

Report of the Chief Executive Officer of 19 February 2025 and attachment.

Delegation: Council

REPORT TITLE: TARGETED AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1993**REPORT PROVIDED BY:** Chief Executive Officer**1. Report Summary and Key Issue**

- 1.1. The purpose of this report is to consider the discussion paper relating to the Local Government Priority Reform Program 2024-26.

2. Recommendation

That the Council provide a submission to the Office of Local Government on the Targeted Amendments to the Local Government Act 1993, in accordance with the comments outlined in this report.

3. Discussion and Background

- 3.1. On 27 November 2024, the Tasmanian Government released its Local Government Priority Reform Program 2024-26.
- 3.2. The Priority Reform Program brings together key recommendations from the Future of Local Government Review and the earlier Local Government Legislation Review, alongside several additional reforms which have been included in response to strong feedback from the sector on the need to respond to concerns around elected member conduct and aspects of council governance.
- 3.3. The Priority Reform Program is built around five strategic pillars:
- **1. Lifting standards of professionalism, conduct, and integrity**
Enhancing governance frameworks and promoting ethical conduct within councils to build public trust and confidence.
 - **2. Driving a high-performing, transparent, and accountable sector**
Improving transparency, accountability, and performance across the local government sector through better oversight and reporting mechanisms.
 - **3. Improving local democracy and representation**
Strengthening democratic processes and ensuring fair representation within council to reflect the diverse interests of communities.
 - **4. Supporting council financial sustainability**
Ensuring councils are financially viable and can sustainably manage resources to meet current and future community needs.

- **5. Supporting council and community-led structural reform**
Facilitating structural reforms driven by council and communities to improve service delivery and operational efficiency.
- 3.4. Legislative changes are needed to implement many of these reforms, particularly those under the first three strategic priorities listed above.
- 3.5. To support implementation, the Government is undertaking three main legislative projects, which are:
- Targeted amendments to the *Local Government Act 1993*.
 - The re-making of the *Local Government General Regulations 2015* and *Local Government (Meeting Procedures) Regulations 2015*.
 - The development of a new Local Government Elections Bill.
- 3.6. Consultation undertaken in stages will occur on these three legislative projects to allow the Government to prioritise and proceed with the roll-out of the reforms by addressing the most acute needs of the sector.
- 3.7. Other significant projects will also be undertaken by the Government that deliver against Strategic Priorities four and five over the next two years, including:
- A process to support councils to pursue council-led voluntary amalgamations.
 - Exploring targeted developer infrastructure charging where supported and required to facilitate development.
 - Considering alternative revenue models to council rates for certain major operations.
 - Reviewing heavy vehicle motor tax allocations to councils.
- 3.8. The discussion paper outlines proposed targeted amendments to the *Local Government Act 1993* that focus on Strategic Priorities one and two which aim to deliver two key outcomes:
- Responding to ongoing community and sector concerns around **Elected Member conduct and council governance**. The proposed amendments will provide more effective and targeted ways of responding to identified problems in a timely and proportionate way.

Reforms include several important changes to broaden the suite of tools available to councils and regulators for dealing with governance and conduct challenges, with a focus on early intervention.

The intention is to help restore community confidence in the overall governance, integrity, and reputation of the sector, which is currently being damaged by the poor conduct of a minority.

- Implementing crucial reforms from the Future of Local Government Review which will **streamline and enhance council strategic direction-setting and planning processes, improve engagement in council decision-making, and provide increased levels of transparency and accountability around how councils are performing.**

The goal is to make some early initial improvements, while also putting in place the architecture that will support the longer-term implementation of an improved integrated strategic planning and performance framework for the sector with community wellbeing at its core.

3.9. The discussion paper (attachment A) explains the 11 legislative reforms the Government is seeking to progress through targeted amendments to the *Local Government Act 1993*.

3.10. Council officers have considered the ‘snapshot’ provided for the proposed reforms and have provided some commentary around each of the reforms in the following table:

Reform Summary	Comments
<p>Legislating Good Governance Principles</p> <ul style="list-style-type: none"> • Good governance principles will be embedded in the <i>Local Government Act 1993</i> to set clear standards and expectations for how Tasmanian councils should make decisions as a collective on behalf of their communities. • The principles will mirror those currently captured in the local government Good Governance Guide, which are themselves based on well-accepted standards drawn from national and international best practice. • The change will mean all councils will have a general duty under the Act to uphold and act in accordance with the principles when performing their statutory roles and functions. • The Minister for Local Government will be empowered to issue guidelines to support councils to interpret and apply the 	<p>Support.</p> <p>There is merit in embedding clear standards and expectations for Councils in the <i>Local Government Act 1993</i>.</p> <p>It is expected that such guiding principles would assist Elected Members in their decision making and practice, but also Local Government administrators, including the provision of best-practice reports and information to assist Elected Members to fulfil their duties.</p>

<p>principles in different circumstances and contexts. New mandatory learning and development modules for councillors will also include a focus on the practical application of the principles to the everyday business of councils.</p> <ul style="list-style-type: none"> Legislating the principles will provide a further avenue for early regulatory intervention where a council is clearly acting contrary to the standards established under those principles. 	
<p>Introducing serious councillor misconduct provisions</p> <ul style="list-style-type: none"> New provisions will be included in the Act which allow for stronger sanctions (including removal and barring from office for up to seven years) where councillors are found to have engaged in serious councillor misconduct under the councillor Code of Conduct. Serious councillor misconduct will be defined as a serious and severe breach of the code, determined by reference to clear criteria which go to the impact of the conduct in question, and its reflection on a person's fitness (or otherwise) to hold public office. Serious councillor misconduct complaints will be heard and determined by the Tasmanian Civil and Administrative Appeals Tribunal (TASCAT), and not the existing Code of Conduct Panel. The Code of Conduct Panel will be retained in its current form and will continue to consider all other complaints. Serious councillor misconduct complaints will only be able to be referred to TASCAT by the Director of Local Government. In response to a finding of serious councillor misconduct, TASCAT will be able to issue an expanded set of sanctions (in addition to those already available to the Code of Conduct Panel) including dismissal and disqualification from office for a period of up to seven years. 	<p>Support.</p> <p>It's clear to most in the sector that the current Code of Conduct process has been relatively ineffective in addressing inappropriate behaviour by Elected Members.</p> <p>The process is wieldy, time consuming and the sanctions available do not provide a sufficient deterrent for breaches of the Code, when they occur.</p> <p>The provision of an additional 'layer' of sanctions for serious misconduct would be welcome as it would provided added incentive for Elected Members not to engage in any such behaviour and would also provide for suitable response in the unfortunate event that an Elected Member is found to have engaged in serious misconduct.</p> <p>Whilst severe misconduct is to be defined as a "severe breach of the code", with criteria yet to be developed, it is expected that serious misconduct would relate to examples like: dishonesty (including fraud, theft), physical violence, gross negligence, wilful and/or repeated misconduct, bullying, sexual harassment, disclosure of</p>

	confidential information, failure to disclose a conflict of interest..(etc).
<p>Broadening performance improvement direction provisions</p> <ul style="list-style-type: none"> • Changes will be made to performance improvement direction (PID) provisions under the Act, which will provide that the Minister for Local Government may issue a PID to a council or councillor in response to a broad range of performance and governance concerns, including: <ul style="list-style-type: none"> ○ breaches of or non-compliance with a council policy made under the <i>Local Government Act 1993</i> that are not of a minor nature; and ○ a serious and material failure by a council to act in a way that is consistent with the good governance principles. • This change will make clear that PIDs can be issued in response to circumstances beyond clear-cut statutory breaches, which is consistent with their original regulatory intent as an early intervention tool to flexibly and promptly address issues with council performance and compliance. • In addition, a failure to comply with a PID may also trigger the appointment of a temporary advisor. 	<p>Support.</p> <p>The comments made in respect to the current Code of Conduct process above are equally relevant to this proposed reform.</p> <p>The proposal to provide an ability for the Minister to issue a performance improvement direction (PID) to a council or councillor in response to a broad range of performance and governance concerns, would provide an agile and timely approach for addressing performance at an individual Elected Member or council level without the need for a Code of Conduct process, or a Board of Inquiry process.</p> <p>A PID would provide an opportunity to quickly address issues that have been identified within a council and would therefore be a welcome reform.</p>
<p>Introducing temporary advisors for councils</p> <ul style="list-style-type: none"> • New provisions will allow for the Minister for Local Government to appoint – in response to evidence of existing or emerging governance issues at a council – a temporary advisor to a council to provide advice and recommend governance improvements to the council, the Director of Local Government and the Minister for Local Government. • Advisors would be given all necessary and appropriate powers to undertake these functions. Specifically, advisors would have the authority to enter council premises, review its operations, request information 	<p>Support.</p> <p>There is no doubt that there are times when, for various reasons, a council may lose its way in terms of its focus on the necessary role that it plays for its community. It could be as a result of poor strategic decision making, relationship breakdowns between key leaders, employee and or Elected Member misconduct (and the like).</p> <p>The ability to appoint a temporary advisor to a council to provide advice and recommend</p>

<p>from the council administration and its audit panel, provide guidance to elected members and senior staff, and make recommendations to the council on governance improvements.</p> <ul style="list-style-type: none"> • At the end of their period of appointment, advisors would provide a final report to the Minister for Local Government and recommend any further action (including regulatory intervention) as they saw fit. • Temporary advisors would be able to be appointed separately to, or in conjunction with, a performance improvement direction (PID). • Temporary advisors would complement and reinforce existing and proposed regulatory tools (including broadened PID provisions) and provide a means of understanding whether there are serious issues present at a council which may justify further action, including a Board of Inquiry 	<p>governance improvements to that council would provide a ‘light touch’ means of addressing the identified problems, rather than resorting to an expensive and time-consuming Board of Inquiry process.</p> <p>Certainly, an inquiry will still have its place for the most serious of circumstances, but the advisor would be a useful tool to work with existing councils to identify and address problems, before more serious interventions are required.</p>
<p>Clarifying work health and safety obligations</p> <ul style="list-style-type: none"> • Doubts removal provisions will be included in the Local Government Act, removing any ambiguity elected members are bound by, and have obligations under, work health and safety (WHS) legislation. • The changes will further clarify that councils – and specifically elected members – have legislative obligations to prudently and actively manage WHS hazards. They will not conflict with, replace, or duplicate any existing obligation under the WHS framework, nor in any way insert the Director of Local Government as a workplace safety regulator for councils. 	<p>Support.</p> <p>Elected Members are not officers or workers, but have coverage under the <i>Workplace Health and Safety Act 2012</i> because whilst conducting council-related ‘work’ they are ‘Other Persons at the Workplace’.</p> <p>This concept continues to create confusion and complexity within the sector and therefore any changes to the <i>Local Government Act 1993</i> to clarify the matter would be supported.</p>
<p>Mandating council learning and development obligations</p> <ul style="list-style-type: none"> • New legislative provisions will require all councillors (both new and returning) to undertake minimum learning and development activities within the first 12 	<p>Support.</p> <p>In recent years the Office of Local Government and LGAT has developed a Local Government Learning and Development</p>

<p>months of being elected.</p> <ul style="list-style-type: none"> • The requirements will focus on councillors' core roles and responsibilities (including their various statutory obligations) will be set out in a Ministerial Order, allowing for flexibility and adjustment over time, as necessary. • The provisions would ensure that mandatory requirements must be relevant to the performance of a councillor's functions and duties, and the Minister for Local Government would be required to consult with councils on the contents of any order before it is issued. • General managers would also be required to develop an elected member learning and development plan for the council at the beginning of each term, and councils would need to make reasonable provision in their budgets to support participation of councillors in learning and development opportunities consistent with those plans. • Councils would need to publicly report on each councillor's completion of mandated learning and development activities. Non-compliance with the new requirements would be a breach of the Local Government Act, and therefore could result in the potential issuing of a performance improvement direction on a council or councillor. • Mandatory pre-election education (completion of an information session) would also be introduced, but this will be implemented via the new Local Government Elections Bill. • The reform implements key recommendations from the Future of Local Government Review and will ensure councillors are better supported and equipped with the skills and knowledge they need to perform their important functions and duties. 	<p>Framework which provides a useful resource for Elected Members. In addition to the Framework, councils should be routinely providing learning and development opportunities for their Elected Members, through workshops, conferences, formal and informal training (and the like).</p> <p>The requirement to develop an Elected Member learning and development plan for the council at the start of each term would ensure that the organisation is focused on ensuring that the Elected Members do receive an adequate level of learning and development across the sector.</p>
--	---

<p>Introducing a contemporary role statement and a charter for local government</p> <ul style="list-style-type: none"> • The local government role statement developed by the Future of Local Government Review will be included in the Local Government Act, setting a clear, contemporary vision for councils, focused on the wellbeing of local communities. • A head of power will also be included in the Act for the Minister for Local Government to issue via Ministerial Order a Local Government Charter to support the delivery of the new role, subject to first consulting with the local government sector. • The charter will clarify and consolidate councils' core functions and duties, offer principles for financial management and engagement, and facilitate strategic state and local government collaboration on issues like regional land use planning and emergency preparedness. • The charter will provide a more flexible mechanism for capturing core functional responsibilities of councils which, in turn, will improve sector and community understanding of local government responsibilities. • The new role statement and charter will be complemented and put into practice via changes over time to the strategic planning and reporting framework, aligning council actions with community priorities, particularly in respect to wellbeing (see reform 8). 	<p>Support.</p> <p>The Hobart City Council supported the proposal to develop a Local Government Charter through the Future of Local Government Review and its inclusion in this process is supported.</p> <p>Councils are focussing more than ever on the services that they provide to the community and, specifically on service levels.</p> <p>A well-constructed charter would assist councils and their communities to understand and agree the services that are provided by their respective councils.</p>
<p>Improving the Strategic Planning and Reporting Frameworks</p> <ul style="list-style-type: none"> • Changes to the Local Government Act will provide the statutory underpinning to improve (flexibly and over time) the way councils plan for the future and report to the community on their progress and achievements. • The current 10-year strategic planning period will be retained, but councils will now be required to link their strategic plans 	<p>Support.</p> <p>This amendment is consistent with the Strategic Planning and Reporting Framework adopted at the City of Hobart.</p> <p>The <i>Capital City Strategic Plan 2023</i> is the City of Hobart's primary planning document and outlines the outcomes the City is aiming to achieve over a ten-year</p>

<p>to identified community wellbeing priorities.</p> <ul style="list-style-type: none"> • New statutory requirements will be introduced for councils to develop and adopt community engagement plans and workforce development plans, consistent with FoLGR recommendations. • Beyond these broad parameters, councils will retain significant flexibility to set strategic priorities that are relevant and important to each of their communities. • The Government is not proposing changes to the existing suite of council financial and asset management plans at this time, but other changes being introduced mean these will need to align with and support implementation of their strategic plans, based on community wellbeing priorities. 	<p>period in response to the community vision - Hobart: A community vision for our island capital.</p> <p>Similarly in respect to the community engagement recommendation, the Hobart City Council has an established Community Engagement and Policy and Framework and would be supportive of the requirement to develop and adopt a community engagement plan.</p> <p>In respect to the requirement for councils to develop a Workforce Development Plan, the City of Hobart operates the One Hobart Program, which aims at building a constructive organisational culture which is consistent with the proposed reform.</p>
<p>Improving Consistency in Data Collection and Reporting Methodologies</p> <ul style="list-style-type: none"> • New provisions will give the Minister for Local Government the ability to issue clear and binding instructions to councils in relation to a broader range of performance indicators and their associated data collection and reporting requirements. • More consistent collection and reporting of key council performance data is essential to, and will support the development of, a new performance monitoring framework for the local government sector. • Better data and improved confidence in performance monitoring will empower communities to understand how well their council is performing and support better and more proactive monitoring and regulatory intervention. 	<p>Support.</p> <p>Hobart City Council currently maintains a suite of key performance indicators (KPIs) which it utilises to assess its performance and also to identify areas for improved performance. These KPIs are based on similarly sized council organisations from across Tasmania and Australia.</p> <p>More consistent collection and reporting of key council performance data across the sector would be a step forward and assist councils in monitoring and improving their performance where required.</p>
<p>Enhancing Transparency of Information in Council Rates Notices</p> <ul style="list-style-type: none"> • The Act will empower the Minister for Local Government to prescribe additional 	<p>Support.</p> <p>Firstly, in principle, the proposed amendment in relation to</p>

<p>information requirements for council rates notices so ratepayers will have a clearer picture of how and why their rates change over time, and how rating revenue is supporting different council services and functions.</p>	<p>enhancing transparency of information in council rates notices is welcomed.</p> <p>Ratepayers should have access to easy to understand information about their rates, how they are calculated and what are the drivers for change in a transparent manner. This information will assist ratepayers to be informed and increase understanding of what Council rates are used to fund for the community – how they are invested to enhance communities.</p> <p>The City of Hobart already provides its ratepayers with a range of information and includes a flyer to explain rates and what rates are spent on, drivers for change, and the City’s budget each year with its annual rates notices, albeit this is at the whole of municipal area level rather than the individual property level.</p> <p>The proposal to provide this at the individual level is considered beneficial but does come with resourcing implications.</p> <p>Prescribing the type of information that councils need to provide will ensure consistency, which the City considers will be valued by its ratepayers, particularly those that own property in multiple municipal areas.</p>
<p>Mandating Internal Audit for Councils</p> <ul style="list-style-type: none"> • New provisions will require all councils to establish and maintain an internal audit function, bringing them into line with Tasmanian Government agencies. • This reform responds directly to a Future of 	<p>Support.</p> <p>The City of Hobart already maintains an internal audit program which reports to the Risk and Audit Committee.</p>

<p>Local Government Review recommendation and recognises councils are responsible for managing significant public assets and resources.</p> <ul style="list-style-type: none"> • General managers, through audit panels, will be responsible for delivering their council's internal audit function. • An amendment to the <i>Local Government Act 1993</i> will provide for the application to councils of Treasurer's Instructions for internal audit issued under the Financial Management Act 2016 (subject to • The Director of Local Government will also be given explicit authority to request targeted internal audits, promoting stronger compliance and proactive regulatory intervention. 	<p>The Council's Risk and Audit Panel approves the priority areas that are identified for internal audit, based on recommendations from the internal auditor and the Executive Leadership Team.</p> <p>If there were specific industrywide areas of concern identified by the Treasurer or Director of Local Government, it would be appropriate that they be included in the Council's internal audit program.</p>
--	---

4. Legal, Risk and Legislative Considerations

- 4.1. To support the implementation of the Priority Reform Program, it is proposed that amendments will be made to the *Local Government Act 1993*, the *Local Government General Regulations 2015* and *Local Government (Meeting Procedures) Regulations 2015* will be re-made and a new Local Government Elections Bill will be developed.

5. Strategic Planning and Policy Considerations

- 5.1. The proposed changes, as outlined in the Local Government Priority Reform Program 2024-26, would enable the Council to meet the following strategy in the Capital City Strategic Plan:

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.

6. Financial and Economic Considerations

- 6.1. Financial Considerations:

6.1.1. None arise from the writing of this report.

7. Community and Business Engagement and Collaboration

- 7.1. The Local Government Priority Reform Program 2024-26 discussion paper is currently the subject of community and stakeholder consultation.

8. Implementation and Communications Plan


- 8.1. The Local Government Priority Reform Program 2024-26 discussion paper is currently the subject of community and stakeholder consultation.
- 8.2. This period of consultation concludes on 21 March 2025 following which, in May 2025 for period of around three months, an exposure Draft Bill will be released for community consultation.
- 8.3. It is anticipated that a Final Bill will be introduced to the Tasmanian Parliament in August 2025.

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



Michael Stretton
CHIEF EXECUTIVE OFFICER

Date: 19 February 2025
File Reference: F25/7368

Attachment A: Local Government Priority Reform Program 2024-26 Discussion Paper (Supporting information) 

17. Special Committee - Terms of Reference
File Ref: F25/6933

Report of the Acting Director Corporate Services of 12 February 2025 and attachments.

Delegation: Council

REPORT TITLE: SPECIAL COMMITTEE - TERMS OF REFERENCE**REPORT PROVIDED BY:** Acting Director Corporate Services**1. Report Summary and Key Issue**

- 1.1. The purpose of this report is to seek Council endorsement of the Terms of Reference for the:
 - 1.1.1. Place and Wellbeing Special Committee and
 - 1.1.2. Climate, Sustainability and Biodiversity Special Committee
- 1.2. The Council first considered the draft Terms of Reference in December whereat it resolved to refer them for further consideration at a Council workshop, which occurred in January 2025.
- 1.3. It should be noted that the administrative process contained within these two draft documents are consistent with those of the other three Special Council Committees (City Transport, City Economy and City Heritage) previously adopted by the Council.

2. Recommendation

That the Terms of Reference for the Place and Wellbeing Special Committee, (marked as Attachment A to this report) and the Climate, Sustainability and Biodiversity Special Committee (marked as Attachment B to this report), be adopted.

3. Discussion and Background

- 3.1. In September 2024, the Council considered a report reviewing the City's governance (meeting) structure. The review recommended a number of changes that were subsequently approved by the Council at its meeting of 16 September 2024.
- 3.2. The Place and Wellbeing Committee was created as a result of combining the former Future Hobart and Healthy Hobart Committees.
- 3.3. The Climate, Sustainability and Biodiversity Committee was created through combining the City Water, Climate Futures and Sustainable Infrastructure Committees.
- 3.4. Initial drafts of the Terms of Reference (ToR) for these two new committees were developed through the combining of the ToR of the former committees with refinements made through consultation with relevant staff and the appointed chairpersons of each of the committees.

- 3.5. In December 2024 the Council considered the draft ToR and resolved to refer them for further consideration at a Council workshop. This occurred in January 2025.
- 3.6. The table below provides a summary of the feedback received during the workshop and the proposed action in response to the feedback.

Feedback	Response
Start time of 5.30pm is too restrictive	<p>The ToR have been amended to allow the committees to determine their own start time with a commencement time of no later than 5.30pm.</p> <p>Starting later than 5.30pm has staff resourcing and cost implications.</p>
Removal of a membership number (proposed as between 6 and 12 members)	<p>Special committees are established within the context of community engagement and are advisory in nature. Setting a minimum membership number ensures a diversity of views and experiences can be considered. This also need to be balanced with a manageable maximum number of members in a practical sense, such as meeting room size and ensuring efficient running of meetings.</p> <p>Appointed members have strong community connections and are appointed to share not only their personal views but those of their broader networks.</p> <p>Between 6 and 12 members is considered appropriate and is consistent with the City's other advisory committees.</p>
Have the special committee report directly to the ordinary Council meetings rather than to the Hobart Workshop Council Committee meeting	<p>The Hobart Workshop Council Committee ToR provide for consideration of lower order policy and strategic matters. As Special Committees have no decision-making delegation and are advisory in nature, officers consider this an appropriate</p>

	<p>reporting structure. It should also be noted that the while there are two types of members on the Hobart Workshop Council Committee, being ‘appointment members’ and ‘nominee members’ it is expected that all 12 elected members attend the Hobart Workshop Council Committee meetings as often as possible. It is also within the power of the Hobart Workshop Council Committee, by resolution, to refer a matter to the ordinary Council meeting for consideration.</p>
--	--

4. Strategic Planning and Policy Considerations

4.1. The City’s Special Committees strongly align with Capital City Strategic Plan, namely *Pillar 8: Governance and Civic Involvement*, and in particular strategy:

8.4.3 Embrace opportunities to incorporate participatory community engagement methods.

5. Financial and Economic Considerations

5.1. Financial Considerations:

	2024-25	2025-26	2026-27	2027-28
	\$'000	\$'000	\$'000	\$'000
Revenue				
Existing Revenue	NA			
Additional Revenue	NA			
Total Revenue				
Expenditure				
Operating	NA			
Capital	NA			
Total Expenditure				
Net Cost	NA			

FTE Impact

	2024-25	2025-26	2026-27	2027-28
--	---------	---------	---------	---------

Change in FTE

NA

5.1.1. There are no financial implications resulting from the recommendations contained within this report.

5.1.2. It should be noted however, that should the Council determine that special committee meet more often or later than 5.30pm, there would be a financial impact on the operational budget in terms of staff costs to support the meetings.

5.2. City Economy Strategy:

5.2.1. Special Committees strongly align with all four strategic priorities listed in the City of Hobart City Economy Strategy 2023 – 2028:

1. *Plan for our collective social, economic and environmental prosperity*
2. *Attract responsible investment to unlock an inventive and inclusive economy*
3. *Position Hobart as an enviable place to visit, live and do business*
4. *Promote and leverage Hobart's uniqueness and celebrate the Hobart Difference*

5.3. Economic Impact:

5.3.1. There are not direct economic impacts resulting from the recommendation contained within this report.

5.4. Consultants

5.4.1. No consultants will be engaged as a result of this report. Membership on the City's Special Committee is of a voluntary nature however provides the benefit of received advice from subject matter experts.

6. Community and Business Engagement and Collaboration

6.1. The City's Special Committees are established within the context of the Community Engagement Framework and are advisory in nature.

6.2. The purpose of these special committees is to increase engagement with the community and benefit from the significant level of experience and knowledge that exists within the community, and through its appointed members.

7. Implementation and Communications Plan


7.1. The endorsed Terms of Reference will be published on City's website.


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
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 12 February 2025
File Reference: F25/6933

Attachment A: Draft Terms of Reference - Place and Wellbeing Committee
(Supporting information) 

Attachment B: Draft Terms of Reference - Climate, Sustainability and
Biodiversity Committee (Supporting information) 

18. 2024-25 Capital Works Program - Mid Year Review
File Ref: F25/7010

Report of the Manager Programming & Delivery and Acting Director
Infrastructure and Assets of 4 February 2025.

Delegation: Council

REPORT TITLE: 2024-25 CAPITAL WORKS PROGRAM - MID YEAR REVIEW**REPORT PROVIDED BY:** Manager Programming & Delivery
Acting Director Infrastructure and Assets**1. Report Summary and Key Issue**

- 1.1. The purpose of this report is to provide the Council with an update of the City of Hobart 2024-25 Capital Works Program.
- 1.2. In July 2024, the Council allocated a total of \$32.25M (excluding property, plant, and equipment) for the 2024-25 Capital Works Program. The total budget comprises of Council investments and various grants from both the State and Federal Governments.
- 1.3. The program value was adjusted further after the financial reconciliation of all the adjustments, external funding received and carry forwards from the last financial year. This resulted in a revised capital works program value of \$33.7M as of 31 December 2024.
- 1.4. The actual capital works expenditure for the 2024-25 financial year is approximately \$6M. Additionally, a further \$9.1M in capital works has been committed, bringing the total value of works underway to \$15.5M, which is 46% of the total budget.
- 1.5. The estimated remaining contingency as of 31 December 2024 is **\$895,301**. This amount will fluctuate throughout the year.
- 1.6. The total forecast expenditure by the 30 June 2025 is estimated to be 91% at the upper-range and 65% at the lower-range. The City Projects Office will continue to monitor the capital works program delivery performance to ensure a minimum of 70% of the works program is delivered.

2. Recommendation***That the report titled 2024-25 Capital Works Program – Mid Year Review, dated 4 February 2025, be noted.***

3. Discussion and Background

- 3.1. As of 31 December 2024, the value of the City's current 2024-25 Capital Works Program budget stands at \$33.7M.
- 3.2. The total 2024-25 Capital Works Program expenditure is approximately \$6M with a further \$9.1M value of works contracted and underway. This represents approximately 46% of the total revised budget. The breakdown of the capital works program is provided in **Figure 1**.

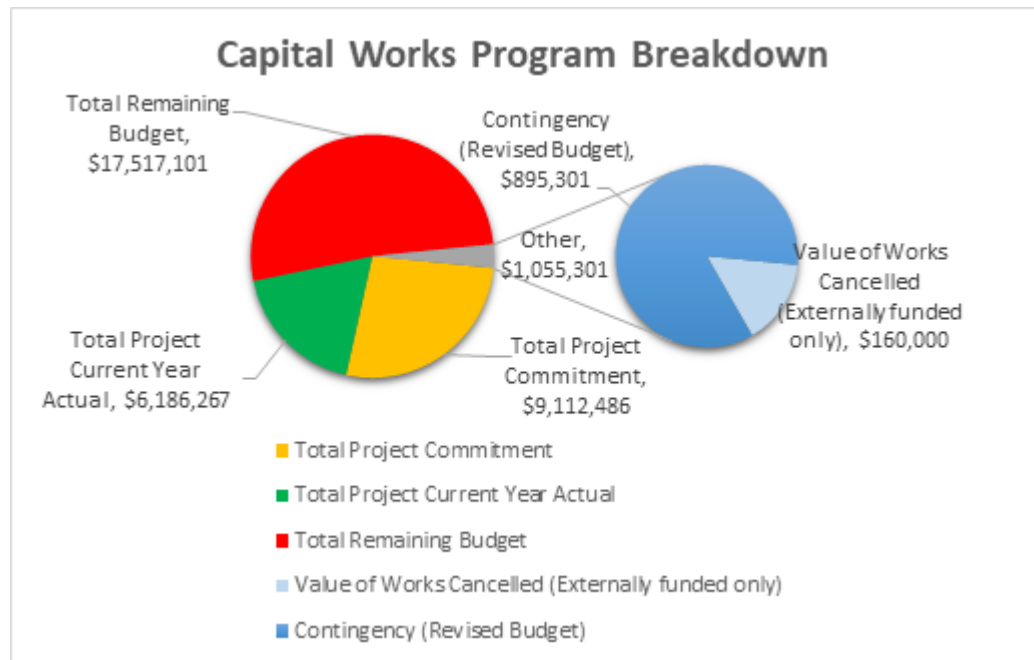


Figure 1: Capital Works Breakdown

- 3.3. As of 31 December 2024, the estimated remaining program contingency was \$895,301. This does not include any unbudgeted capital expenditure incurred from completed and unbudgeted works. Such costs are generally minor and are typically covered by the available program contingency.
- 3.4. The total forecast expenditure by the end of financial year is estimated to be \$27M, or 91%, based on a revised program value of \$30.3M. This excludes program contingency, externally funded projects which have been deferred such as the DKHAC Spa, and adjustments due to reduced forecast expenditure for the Derwent River Ferry Expansion Project. This is the upper-range forecast with the lower-range forecast estimated to be approximately 65%.
- 3.5. The City Project Office will continue to monitor the delivery performance of the capital works program in the remaining financial year to ensure a of minimum 70% of the works program is delivered.

3.6. The breakdown of the forecast is provided in **Figure 2**.

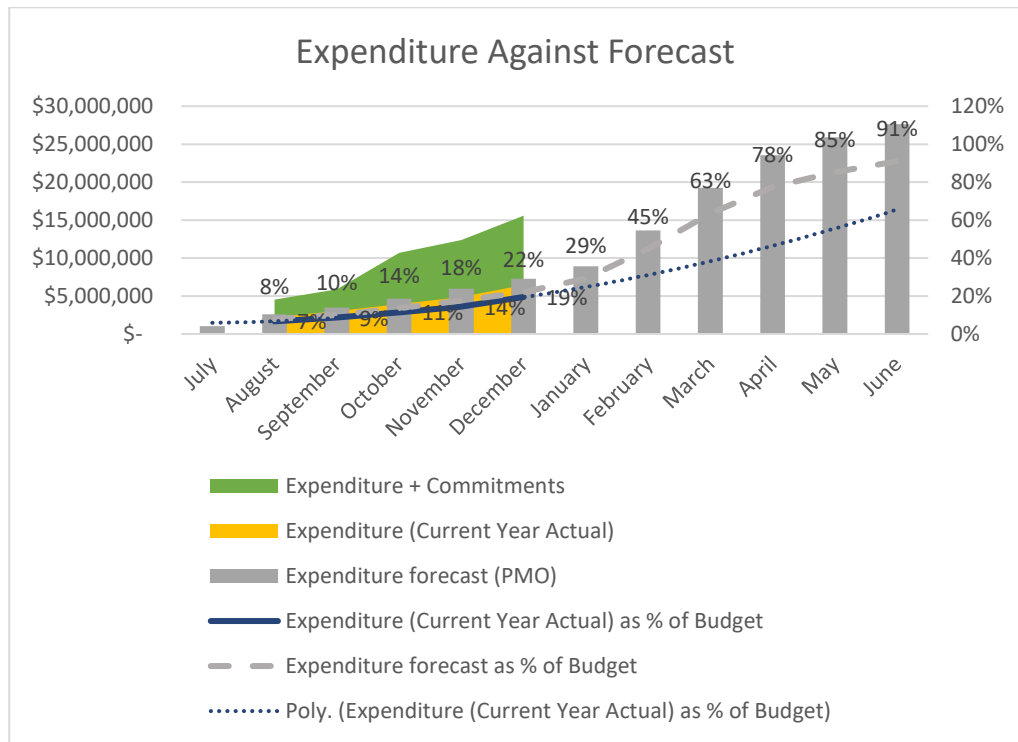


Figure 2: Delivery Forecast

3.7. All projects valued over \$1M are listed as Key Major projects, with a summary of the status updates as follows:

Name	Budget	Status	Comment
New Town Rivulet Estuary Restoration Project	\$ 2,152,000	Delivery	Contract has been awarded with works scheduled to commence in February.
Queenborough Oval Changerooms Redevelopment	\$ 3,254,731	Delivery	Works underway and delivery as per plan. Stage 1 works (new Changeroom) expected to be completed in May, with the Stage 2 works (refurbishment of the grandstand) to be completed in September 2025.
Greater Hobart Ferry Service Expansion	\$ 4,000,000	Planning	Preparing lodgement of DA for Wilkinsons Point. Further work required for Lindisfarne and Sandy Bay sites. Expenditure forecast for 24-25FY has been adjusted to reflect the challenging site issues.
New Town Netball Courts Upgrade	\$ 1,344,315	Delivery	Contract awarded with works to commence in February.

Name	Budget	Status	Comment
Goulburn St - Forest to Cavell - Joint treatment and Overlay	\$ 1,155,000	Delivery	Procurement underway with works expected to commence mid-February.
24-25 Reseal Prep Program 1	\$ 1,141,000	Completed	Works completed on 8 October 2024 and delivered underbudget. Surplus funding has now been reallocated into contingency funds.
24-25 Reseal Prep Program 2	\$ 1,090,000	Delivery	Works commenced on 9 October 2024 following completion of Program 1 and will be completed by the end of January, ready for the resealing contractor.
24-25 Reseals (Slurry) Program 1	\$ 1,141,000	Delivery	Contract awarded with construction works scheduled between Feb- March 2025.

3.8. A total of 14 projects completed with a total favourable variance of \$42,000, which will be reallocated into program contingency. The complete list of projects completed is provided in **Table 1**.

Name	Allocated Budget 24-25FY	Remaining Budget Council Funding	Remaining Budget External Funding
Open Office Completion Phoenix Projects	\$5,662.00	-\$15,964.00	\$0.00
Hobart Central Car Park Lift Replacement	\$21,790.00	-\$8,809.00	\$0.00
Enterprise Road Rock Face Stabilisation	\$45,000.00	\$293.00	\$0.00
Reservoir Tank Fire Trail Renewal	\$68,961.00	\$809.00	\$0.00
Parking Sensor Replacement	\$170,000.00	\$4,342.00	
Elizabeth Midtown Refresh	\$5,000.00	\$5,000.00	\$0.00
Yelgun Place - Girrabong to Head - Conc FP & K&C	\$62,000.00	\$1,102.00	\$0.00
Pottery Rd & Doyle Ave Junction FP KC Overlay	\$11,612.00		\$3,277.07
Faraday 28 to Cavell St 37 Stormwater Pipe Relining	\$42,000.00	-\$36.00	\$0.00

Name	Allocated Budget 24-25FY	Remaining Budget Council Funding	Remaining Budget External Funding
The Good Water project	\$35,683.00	\$1,787.00	\$0.00
Hill St - Warwick to Lansdowne (Pine) - Ash RFP	\$11,706.00	-\$12,352.00	\$0.00
Domain Athletic Centre New Shelter	\$33,870.00	\$563.00	\$7,583.00
Patrick St - Harrington to Watkins - LK&C & Ash LFP	\$186,831.00	-\$57,846.00	
Benjafield Tce – Gordon to Ogilvie - Conc RFP	\$348,670.00	\$3,558.00	
24-25 Reseal Prep Program 1	\$641,000.00	\$63,012.00	\$0.00
DKHAC Filter Internals Replacement	\$115,000.00	\$50,940.00	\$0.00
Harbroe Ave Stormwater Minor Renewal	\$30,000.00	\$6,182.00	\$0.00
		\$42,581.00	\$10,860.07

Table 1: Completed Projects as of 31 December 2024

4. Strategic Planning and Policy Considerations

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

Pillar 7: Built Environment

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

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

5. Financial and Economic Considerations

- 5.1. Financial Considerations:

5.1.1. The delivery of the capital works program is underway and will be delivered within the approved program budget.

5.2. City Economy Strategy:

5.2.1. This proposal aligns to the following strategic priorities listed in the City of Hobart City Economy Strategy 2023 – 2028:

1.3 Deliver 'buy local' processes as part of the City's procurement policies that support local businesses

1.5 Partner and deliver programs that are inclusive, foster well-being and enhance quality aspects of city life, including short-term tactical interventions to improve public amenity

5.3. Economic Impact:

5.3.1. The continuous delivery of the capital works program will ensure that the City's services and assets are maintained which will support the growth of the city and maintains the City's reputation as an attractive tourist destination and liveability.

5.3.2. The delivery of infrastructure works also support job creation and the local economy with procurement of construction materials and services from local providers, where appropriate.

6. Community and Business Engagement and Collaboration

6.1. The City will continue to proactively engage with the community and businesses throughout the planning and delivery of capital works projects. This includes early consultation to understand stakeholder needs, regular updates to inform progress, and collaboration to minimise disruption. Feedback will be considered in decision making to ensure project outcomes and delivery methodology aligns with community and business interest.

7. Implementation and Communications Plan

- 7.1. The City will continue to develop and implement a structured Project Plan to guide the successful delivery of capital works projects. The Project Plan outlines key milestones, responsibilities, risk management strategies, communication plan, and performance monitoring processes. The Project Plan is clearly documented in the project management template which is developed and implemented by the relevant project managers during the delivery of projects.

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



Mao Cheng
**MANAGER PROGRAMMING &
DELIVERY**



Michael Reynolds
**ACTING DIRECTOR
INFRASTRUCTURE AND ASSETS**

Date: 4 February 2025
File Reference: F25/7010

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015****19. Ombudsman Report – Personal Information Protection Act Breaches
File Ref: F25/11366; 13-1-9**

Councillor Elliot

Motion

“That Council:

Note that the Ombudsman has determined that the Hobart City Council breached the Personal Information Protection (PIP) Act on four occasions.

Note that Lord Mayor Anna Reynolds maintains that she did not breach the PIP Act, with Cr Reynolds quoted in the Ombudsman’s report stating that her conduct was “lawful and legitimate,” and that this is despite the Ombudsman declaring that “the sharing of the complainant’s personal information by the Lord Mayor is an example of the type of disclosure the PIP Act is designed to protect against.”

Note that the CEO’s public statements that the Council provided Louise Elliot with an “unreserved public apology” was made several months before the depth of the breaches was uncovered and substantiated by the Ombudsman, and that an “unreserved” apology cannot be made when the Lord Mayor continues to deny wrongdoing, let alone be apologetic for their conduct.

Note that this is third piece of fundamental legislation that the Hobart City Council has failed to comply with in relation to Louise Elliot’s attempt to book Town Hall, with non-compliance spanning the Anti-Discrimination Act, Right to Information Act and Personal Information Protection Act.”

Rationale:

“The Council is responsible for the governance of the organisation.

The Ombudsman has stated that “this failure [breaches] by senior members of staff and the Lord Mayor to turn their minds at all to the requirements of the PIP Act and Council’s own extensive suite of policies and procedures, appears to indicate a serious governance, cultural and training issue within Council.”

Further extracts from the Ombudsman Report are shown below:

“The complainant’s personal information had been shared with the Lord Mayor in their capacity as Lord Mayor of Council, acting as part of Council as the personal information custodian. The Lord Mayor then disclosed that information to a person outside Council.”

“... the Lord Mayor maintains that they did not knowingly release the complainant's personal information, or that they reasonably should have known or recognised that the information was personal.”

“It is concerning that the Lord Mayor, whose role necessarily involves access to personal and sensitive information about members of the community on a regular basis, was not aware information they may receive in the course of their duties is subject to privacy considerations.”

“The Lord Mayor has also submitted that while they may have shared the complainant's personal information, it was for "lawful and legitimate purposes". These purposes were based on the Lord Mayor's own view that the complainant's booking request was discriminatory toward a particular community group, of which the spokesperson was a member.”

“It is particularly concerning that the breaches identified were made by senior members of Council staff and involved a person in the position of Acting CEO. They also involved a breach by the Lord Mayor, an elected member in a prominent and important statutory role.”

It is noted that, as at the time of submission of this Motion (being Sunday 16 February 2025) no communication about this matter has been provided to the Council from the Lord Mayor or the CEO.”

Administration Response to Notice of Motion

Discussion

The Council received the Ombudsman's report in respect to breaches of the Personal Information Protection (PIP) Act at the end of the day on Tuesday 11 February 2025 and had to then respond to media requests on the report the following day; there was no time to properly consider the report before it was in the media.

Having said that, the Council has been previously made aware of the matters surrounding the handling of Cr. Elliot's room booking attempt through the investigations and actions that were taken last year.

It is regrettable that the Council has received adverse findings from the Ombudsman, however, these events were now some time ago and there have been personnel and procedural change that has occurred to ensure that similar occurrences do not occur in the future.

The Lord Mayor has acknowledged and accepted the findings of the Ombudsman's investigation and has agreed to undertake training on the Act.

In respect to the recommendations of the Ombudsman, the Office of the CEO has already commenced sourcing an appropriate training course/provider in respect to obligations to protect personal information under the PIP Act as well as Council's relevant policies and procedures. This training will be made available to management staff and Elected Members once a suitable course/provider is engaged and organised. Additionally, the Council has recently reviewed its employee induction program, which ensures that all new employees at the Council are aware of their privacy obligations.

The PIP Act will now be added to the Council's cyclic training schedule, which also includes anti-discrimination, child protection, workplace health and safety (etc). The Elected Member induction material will also be reviewed to ensure that it provides adequate information and education for Elected Members, particularly new Elected Members.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

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.

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

Legislation and Policy

Legislation: The Ombudsman's investigation and associated report were conducted in accordance with their statutory powers under the above legislation.

Policy: The City's Privacy Statement can be found here:
[Privacy statement - City of Hobart, Tasmania Australia](#)

Financial Implications

1. There will be a financial impost for the provision of privacy training, which cannot presently be determined until a series of quotes have been secured.

20. Volunteer Awards Policy
File Ref: F25/11369; 13-1-9

Councillor Elliot

Motion

“That officers prepare a policy related to awards for volunteers and that this policy be provided to Council for approval.”

Rationale:

“The Council does not have a current policy that covers awards and recognition. It is a fundamental of good governance to have policies in place to help ensure transparency and consistency in decision-making.

A report came to Council on 25 September 2023 about reshaping the Council's awards program. The report was silent on who had delegation to approve the award recipients, with multiple elected members assuming that the delegation for approval would be with the Council as was the prior practice.

The approval of the most recent round of recipients was however, not approved by Council.

It is expected that the policy provided to Council would cover the award categories, eligibility requirements, selection processes and methods, and facilitate approval by the Council.”

Administration Response to Notice of Motion**Discussion**

1. Officers support the development of a Council Volunteer Awards Policy, and agree that it will support a consistent and transparent approach to awards across the City's various volunteer programs, reference groups and advisory groups.
2. The development of a Policy will see collaboration between the City's various groups responsible for volunteers, including Community Programs, City Welcome and Open Space, together with People & Culture and Legal & Governance.
3. It is proposed that the Policy would be presented to Council for approval as part of the organisation's Policy Manual. The Volunteer Management System Manual will be updated to cross-reference this Policy, ensuring that the various governance documents work together to ensure a consistent and transparent approach to volunteer management across the City.

Current situation

The Council does not have a specific policy that covers volunteer awards. The City does have a Volunteer Management System Manual (October 2017) that details a volunteer recognition policy. This manual is publicly available via the City's website and is presently being updated.

At its meeting of 25 September 2023, the Council approved the recommendation to replace the Hobart Community Awards (that had previously been Australia Day Awards) and reallocate resources to expand the Volunteer Recognition Program that recognises the City's own volunteers. The report and recommendation are shown in the link below

https://hobart.infocouncil.biz/Open/2023/09/CO_25092023_AGN_1828_AT_WEB.htm

The Community Awards and Australia Day Award programs that operated up until 2023 were formal Council award programs where nominations were sought externally from the Hobart community through Mercury advertising, social media and community networks. All nominations were then assessed by a panel that included staff and an external community representative. The recommended award recipients were then presented to the Council for endorsement prior to being awarded with their certificates.

With the significant change from a formal award program with an external focus to an operational internal volunteer recognition program approved in 2023, it was not intended to have formal nominations put forward or that the recipients be approved by the Council. The report to Council in September 2023 did not specify who had the delegation to approve award recipients. As included in the recommendation, this operational program was to be delivered to celebrate International Volunteer Day and recognise City of Hobart volunteers.

Most recently, a volunteer reception was held in the Town Hall on 5 December 2024 (International Volunteer Day) to celebrate the many volunteers that support the City through a number of programs and reference / advisory groups. All Elected Members were invited to attend, with several present at the reception.

At the ceremony, volunteers that had achieved the outstanding milestones of 5–10 and 15 years of service were each presented with certificates by the Lord Mayor. There was also a volunteer of year award presented to one member of each volunteering program/advisory group for their work over the year. There were 19 awards presented across the program areas.

It was noted in the 2023 report that there would be collaboration with the coordinators of other City of Hobart volunteer programs to develop the detail of the volunteer milestones and volunteer of the year awards. The Community and Economic Development Network volunteer of the year awards are aligned with the Bushcare Golden Secateurs Award where each year the City of Hobart recognises an outstanding Bushcare volunteer. These recipients of this award are also determined by staff who coordinate the volunteer program through discussion with the group convenors.

Each of the recipients were selected by their volunteer coordinators based on criteria that was aligned to the City of Hobart's values.

These values are:

- **People:** Volunteer shows care for the community, customers, and colleagues.
- **Teamwork:** Volunteer collaborates well with others and draws on collective strengths for community benefit.
- **Focus and Direction:** Volunteer helps work towards clear goals for sustainable social, environmental, and economic outcomes.
- **Creativity and Innovation:** Volunteer embraces new approaches and seeks continuous improvement.
- **Accountability:** Volunteer is transparent and works ethically to achieve outcomes for the community.

Volunteer Coordinators are designated staff that work directly with volunteers to deliver specific programs or to facilitate the volunteers who are part of the City's reference/advisory groups.

The volunteering programs operating in the Community Programs Group are:

- Networking for Harmony Multicultural Advisory Committee
- Access Advisory Committee
- Housing with Dignity Reference Group
- Still Gardening Program
- LGBTIQ+ Reference Group
- Hobart Older Persons Reference Group
- Mathers House; Youth Programs
- International Student Ambassadors.

There are also volunteer programs operating in City Welcome Group (Salamanca Market and TTIC) and programs in Open Space Group (Bushcare and Trackcare).

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	2 – Community inclusion, participation and belonging.
Outcome:	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. 2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.
Strategy:	2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life 2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion 2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

Legislation and Policy

Legislation: *Anti-Discrimination Act 1998*

Policy: City of Hobart Volunteer Management System Manual & associated policies and procedures

Financial Implications

1. There are no foreseen budget related impacts from the development of a Volunteer Awards Policy.

21. Legal Invoices

File Ref: F25/11377; 13-1-9

Councillor Elliot

Motion

“That, in accordance with Section 28B of the *Local Government Act 1998*, the Council require the CEO to make available to all elected members the information Cr Elliot sought from the CEO on 29 November 2024 2:03pm by email that relates to legal expenses.

Specifically, this is to require the CEO to provide all invoices in the Council's possession that relate to provision of external legal services for all elected members on the Council to date this term (since 2022) and for the previous term (2018-2022).”

Rationale

“Cr Elliot lodged a formal request in accordance with Section 28A of the *Local Government Act 1998* on 29 November 2024 as shown below.

“In accordance with Section 28A of the Local Government Act, I request a copy of:

all invoices in the Council's possession that relate to provision of external legal services for all elected members on the Council to date this term (since 2022) and for the previous term (2018-2022).

Alternatively, a figure that tallies up the total of these expenses over this period broken down by elected member would suffice.

This is taken to include all legal costs that were paid for directly by the council (including reimbursement) and legal costs that were paid through Council's insurance. If the information provided can please distinguish what invoices/costs have been paid directly by Council versus through insurance, that would be appreciated.

The reason I seek this information to inform and consider the Council's policy on legal expenses and given oversight and policy setting responsibilities for Council finances. I have no pecuniary interest in this matter above and beyond that of any other elected member.

Can you please provide a timeframe for when this information could be provided?”

The CEO did not support the information requested being provided. A table of (sic) did satisfy the request was provided instead.

The information sought is taken to include invoices for all legal expenses that were paid for directly by the council (including reimbursement) and legal costs that were paid through Council's insurance.

This is also taken to include all legal costs that refer to any individual elected members, multiple elected members and/or elected members as a collective Council.

For clarity, the legal advice itself that was produced is not being sought, only the invoice for the service.”

Administration Response to Notice of Motion

After careful consideration, it was determined that the level of the information requested was not required for Elected Members to satisfy their section 28 functions as individual invoices are of an operational nature as provided for under Part 7 of *the Local Government Act 1993* (“the Act”).

In considering whether to provide this information, there were also other concerns that were taken into account, including:

- A need to maintain legal professional privilege (especially for live matters, or where a confidentiality agreement formed part of the settlement), or where the information could be of benefit to a party bringing an action against Council.
- The privacy of third parties.
- The fact that the request also sought ‘all’ legal invoices for the life of the previous council (2018-22) which are not relevant to the exercise of section 28 duties for the life of the current Council.
- That satisfying the request would also unreasonably extend the resources of the Council, as per section 28A(3)(a) of the Act.
- Cr Elliot’s rationale did note that she only seeks the ‘invoices’ as opposed to any legal advice. However, it is an accepted principle at common law that a lawyers’ bill of costs (an invoice) is privileged – *Packer v Deputy Commissioner of Taxation (QLD) [1985]*.

Officers have previously provided a summary of the Elected Member legal costs to all Elected Members on the ‘Hub’. This summary provided an overview of the relevant expenditure (on an itemised basis).

Officers remain of the view that the level of detail provided in the legal costs summary is appropriate for the purposes of satisfying the duties/functions requirements under section 28 of the Act while also maintaining legal privilege and privacy obligations.

It is recommended that the Notice of Motion not be supported.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Not applicable.

Outcome: Not applicable.

Strategy: Not applicable.

Legislation and Policy

Legislation: *Local Government Act 1993, Legal Profession Act (Tas) 2007.*

Policy: City of Hobart Information Policy

Financial Implications

1. Not applicable.

22. Lord Mayor Communications
File Ref: F25/11380; 13-1-9

Elected Member Elliot

Motion

“That elected members receive a copy of all formal correspondence the Lord Mayor sends in their capacity as Lord Mayor as it leaves the Office of the Lord Mayor.”

Rationale:

“Access to timely and relevant information is critical to being able to effectively undertake the role of Elected Member.

At present, there is an ad hoc approach to when, how and if elected members are provided with copies of formal correspondence sent by the Lord Mayor. Often elected members become aware of communication through social and traditional media. This is a disadvantage for other elected members.

For example, The Mercury recently reported on a dispute between the Lord Mayor and the Leader of the Opposition, Dean Winter MP, in relation to nighttime economy regulation. The matter was reported on Sunday 5 January 2025 and referred to letters exchanged between the Lord Mayor and Mr Winter. I emailed the Lord Mayor that day to request a copy of the correspondence. This was uploaded to the Hub on 10 January 2024.

This motion does not apply to correspondence the Lord Mayor sends in their individual capacity as Councillor.”

Administration Response to Notice of Motion**Discussion:**

Section 27(1) of the Local Government Act 1993 legislatively acknowledges that the Lord Mayor is regarded as, and accorded the status of, the most senior elected member of a Council. This status is recognised by other levels of government, business leaders, and the community in both ceremonial and business dealings.

The Lord Mayor is entrusted to represent the Council and communicate on its behalf, where appropriate and ensure consistency with the City of Hobart’s Community Vision, Annual Plan, and Strategic Plan.

Allowing the Lord Mayor to manage correspondence effectively supports this leadership role.

Under the current practice, Lord Mayoral correspondence is shared with all Elected Members when it pertains to a decision of the full Council or involves any significant or strategic matter. Copies of such correspondence is provided through the established communication channel of the Elected Member Bulletin.

This targeted approach ensures that elected members receive relevant updates without unnecessary administrative burden and balances transparency with efficient information flow.

It is standard governance practice for the head of a council to manage certain communications while keeping other elected members informed through strategic updates where appropriate.

In preparing this response, officers consulted with other councils about their process. The capital cities of Brisbane, Adelaide and Darwin, as well as Greater Hobart Councils of Clarence and Kingborough all reported not having a formalised process but rather followed the same approach as the City of Hobart.

In conclusion, it is not considered that changes to the current processes are required.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 8 – Governance and Civic Involvement

Legislation and Policy

Legislation: *Local Government Act 1993*

Financial Implications

1. Not applicable.

23. Right To Information

File Ref: F25/11382; 13-1-9

Councillor Elliot

Motion

“That, in accordance with Section 28B of the *Local Government Act 1998*, the Council require the CEO to make available to all elected members the information Cr Elliot sought from the CEO on 9 January 2025 at 11:17 am by email that relates to correspondence from the Ombudsman Tasmania that relates to the Council’s management of the Right to Information Act.”

Rationale:

“Cr Elliot lodged a formal request in accordance with Section 28A of the *Local Government Act 1998* on 9 January 2025, which is shown below:

“In accordance with Section 28A of the Local Government Act, I request a copy of:

all correspondence the Council has received from between the period of January 2023 to date (9 January 2025) from the Ombudsman Tasmania that relates to the Right to Information Act and RTI applications made to the Council, including complaints parties have made to the Ombudsman about the Council management of RTIs and external reviews

I understand some of the above may need to be provided in a confidential basis and

I also understand that there is will be some information that I will not be provided with as I have a conflict as I am mentioned in the correspondence or the correspondence relates to an RTI lodged by me

The reason I seek this information to inform my understanding of governance, compliance and cultural issues within the Council in relation to RTI.

Can you please provide a timeframe for when this information could be provided?”

The information requested has not been provided. The following information was provided, however, and raises further issues about the Council’s compliance with the objective and requirements of the Right to Information Act.

- Council received forty one (41) RTI applications for 2023-24 with a further five (5) applications accepted for assessment after June 30, 2023, noting the application was received in the last quarter of the year but wasn’t accepted for assessment until after that date.
- Of those thirty-one (31) that were accepted for assessment and decision, ten (10) either did not meet the requirements of the Act or the information was proactively disclosed outside of RTI.
- Nine (9) applications saw the information requested being provided in full.
- Twelve (12) applications saw the information requested being provided in part.

- Four (4) applications saw none of the information requested provided.
- Six (6) applications carried forward into the 2024-25 year with the decision occurring in 2024-25.
- Of the 31 applications eleven (11) were the subject of a request for external review.

It is particularly concerning that 35 per cent of the RTI applications the Council accepted progressed to external review.”

Administration Response to Notice of Motion

Under the *Right to Information Act 2009* and *Local Government Act 1993*, the City's RTI administration is not the responsibility of Elected Members (either individually or collectively) but the responsibility of the CEO and any RTI delegates. These individuals are subject to multiple oversight mechanisms, including:

- the Ombudsman, such as via external review of RTI applications or investigation of complaints by RTI applicants;
- the Ombudsman's publications, directions, investigative powers and published external review decisions;
- other potential regulators such as the Integrity Commission, which in 2024 issued a report of its investigation into RTI administration by the Department of Health; and
- annual reporting to the Department of Justice contributing to its annual RTI report which is tabled in Parliament under the RTI Act, section 53.

There is no function for Elected Members under either the *RTI Act* or the *Local Government Act 1993* to involve themselves in the functions of either the Council's 'principal officer' (the CEO) under the *RTI Act* or the delegated officers that are appointed (consistent with section 24 of the RTI Act) to make decisions under the *RTI Act*.

The RTI Act is clear in section 21 that decisions in respect of RTI applications are to be made only by the principal officer (the CEO) or a delegated officer.

Where an RTI applicant seeks external review of such a decision to the Ombudsman, then the Ombudsman's office corresponds with the applicant and the City. It would be inappropriate for the City's administration to pass on that correspondence.

The Ombudsman invariably publishes their final external review decisions on their website or, in the case of a complaint investigation, by first providing their report to the Minister for tabling in Parliament. Such publication is a decision for the Ombudsman, as is the extent to which their decision quotes or does not quote correspondence with the relevant public authority.

In addition to the Ombudsman, the Integrity Commission can also investigate RTI matters.

If officers are directed to comply with this motion, it would impose a significant additional resourcing requirement on the City's officer responsible for RTIs and

therefore limit the City's efforts to comply with the *RTI Act's* time frames.

It is important for Elected Members to maintain the appropriate separation between their statutory functions and *the day-to-day operations and affairs of the council* for which the GM/CEO is responsible: *Local Government Act*, section 62(1)(c).

The City provides its annual RTI statistics to the Department of Justice, then local government RTI statistics form part of a report which is tabled in both Houses of Parliament under section 53(2) of the RTI Act.

Other statutory considerations against this motion include:

- the *RTI Act*, by section 6(1)(j), "*does not apply to information in the possession of ... the Ombudsman*"; and
- the *Ombudsman Act 1978* provides in section 23A(3) that "*An investigation by the Ombudsman under this Act is to be conducted in private.*"

In conclusion, providing the Ombudsman's correspondence sought by the motion to Elected Members risks compromising both the work of the Ombudsman and the ability of the City to meet its duties under the *RTI Act*.

Accordingly, it is recommended that this motion *not* be supported.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Not applicable.

Outcome: Not applicable.

Strategy: Not applicable.

Legislation and Policy

Legislation: *Local Government Act 1993, Right to Information Act 2009*

Policy: City of Hobart Information Policy.

Financial Implications

1. Not applicable.

24. Midson Report - Collins Street
File Ref: F25/11343; 13-1-9

Alderman Bloomfield

Motion

“That the Hobart City Council note the January 2025 Midson Report on Collins Street Bicycle Lands Technical Assessment.”

Rationale:

“There has been significant issue with the planning and consultation process regarding introduction of a dual bike lane into Collins Street.

Whilst it is appreciated that the project has been temporarily stalled so that community consultation can be further explored and as a result already some changes have been made - the addition of an independent local professional traffic engineer report can only but help strengthen the process.

The executive summary in its own right gives a solid overview of elements that should be reasonably addressed and included:

This technical assessment evaluates Hobart City Council’s proposed on-road bicycle lanes along Collins Street between Molle Street and Murray Street, Hobart. Council’s project aims to enhance active transport infrastructure by providing dedicated cycling lanes, improving connectivity between the South Hobart Rivulet Track and the Hobart CBD. However, this assessment identifies several significant challenges that impact the feasibility and overall effectiveness of the proposal.

The proposed design removes critical turning lanes at intersections, significantly reducing road capacity and increasing delays at signalized intersections during peak periods. The loss of 44 high-turnover on-street parking spaces further exacerbates access challenges for businesses and customers, with an estimated annual parking revenue loss for Council exceeding \$300,000. While the design seeks to prioritize cycling, survey data reveals limited midday and weekend cycling activity and a lack of connectivity at the northern end, diminishing its appeal for broader CBD cycling use.

The design introduces new road safety risks, including conflicts at intersections and bus stops. Moreover, public opposition, particularly from the business community, and the withdrawal of State Growth funding highlight the polarizing nature of the project. Although the project aligns with policy goals to promote sustainable transport, its limited technical justification, compounded by network congestion risks and economic implications, suggests it may not achieve the desired balance of benefits for all road users.

The report concludes that the proposed bicycle lanes, in their current form, are not warranted.

P4: The Midson Report: Collins Street Bicycle Lands Technical Assessment January 2025.”

Administration Response to Notice of Motion

Discussion

The proposal for the Collins Street Bikeway is the result of extensive planning and rigorous investigations into the current performance of the Hobart road network. This process has identified a clear need for investment in a transport system that is reliable, sustainable, and cost-effective.

This proposal aligns with the Greater Hobart Cycling Plan, a strategic initiative developed in collaboration with the Greater Hobart councils and the Tasmanian Government. The plan aims to deliver an interconnected cycling network across Greater Hobart. Collins Street plays a crucial role in this network, providing a cycling connection through the city that cannot be efficiently or effectively replicated on any other street.

To ensure a thorough and evidence-based approach, the City of Hobart engaged expert traffic engineers from Pitt & Sherry to conduct simulation modelling of the Hobart Road network. This modelling was undertaken to accurately assess the impacts of the proposed bikeway. The results of this assessment demonstrate that, operationally, the level of delay on Collins Street with the proposed bikeway is comparable to current conditions, with only minor additional delays anticipated. However, the proposal delivers significant safety improvements for cyclists.

Furthermore, the proposed bikeway has been designed to align with the strategic direction set by the City of Hobart and meets the minimum level of service targets outlined in the Inner Hobart Transport Network Operations Plan (TNOP). The TNOP serves as a critical framework for balancing the competing priorities of various transport modes within the road network, ensuring that different modes receive appropriate operational priority.

The City acknowledges that, as with any technical field, differing professional opinions exist among traffic engineers. However, the Council has relied upon the analytical work conducted by Pitt & Sherry, which provides a balanced and independent assessment of the proposal.

While Collins Street is an important street, the modelling undertaken by the City has identified only minor traffic delays resulting from the proposed bikeway. In contrast, the analysis conducted by Midson Traffic overlooks a key fact: Collins Street is not a designated strategic traffic route. This designation is supported by multiple strategic transport documents developed by both the City of Hobart and the Tasmanian Government, including the Hobart Transport Strategy 2024 and, most importantly, the Inner Hobart Transport Network Operations Plan.

These strategic documents ensure that different transport modes are given priority on appropriate roads, creating a more efficient network for all users. For example, the Bathurst, Barrack, and Brisbane (BBB) Street network has been designed to facilitate quicker and more reliable traffic flows. Since prioritising these routes, traffic volumes

have increased by 20% with no impact on travel times, demonstrating the effectiveness of this approach.

The City of Hobart remains committed to monitoring the overall performance of the inner-city transport network, including Collins Street. The proposed bikeway will be implemented as a trial, and its impact will be closely assessed to ensure that an appropriate level of service is maintained.

Current situation

The City of Hobart is committed to its vision of working together to make Hobart a better place for the community. A visionary statement that was developed in consultation with the community.

It is important to understand that the *Midson Report* was conducted separate to the City's broader activities that have researched, reviewed and considered a myriad of variables and factors over an extended period (over 25 years), when recommending the street trial to council for consideration in 2024.

The *Midson Report* has not considered any key strategic documents (and in fact lists N/A in the report stating that policy objectives have not been assessed). In particular:

- the Central Hobart Plan, (endorsed by Council in 2023)
- the Hobart Transport Strategy (endorsed by Council in 2024)
- The Inner Hobart Transport Network Operation Plan (adopted by the City of Hobart and the Department of State Growth in 2023)
- The Greater Hobart Cycling Plan, supported through the greater Hobart Council's, the Tasmanian and Australian Governments as part of the Hobart City Deal.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Pillar 5. Movement and Connectivity

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

Outcome 5.2 Hobart has effective and environmentally sustainable transport systems.

Pillars: Pillar 1. Sense of Place

Pillar 4. City Economies

Legislation and Policy

Legislation: Not applicable.

Policy: Not applicable.

Financial Implications

1. There are no additional financial implications regarding this motion.

25. Grant Funding - Hobart Football Club
File Ref: F25/11349; 13-1-9

Councillor Coats

Motion

“That Council:

- (1) Note that the Hobart Football Club (HFC) successfully received grant funding for \$150,000 + GST from the state government for upgrades and improvements to the Tasmanian Cricket Association (TCA) ground.
- (2) Note that the TCA ground is a Hobart City Council (HCC) owned facility and improvements to this facility support community sport and increase the ability for residents in Hobart to engage in sport and recreation.
- (3) Note that the grant funding was based on an early estimation of costs, but that after receiving the final report from the architects, total project costs have come to \$240,000—making it financially unfeasible for the club to proceed without additional funding.
- (4) Note that the HFC has successfully obtained a funding commitment from AFL TAS of \$50,000 towards the project and that the club has secured sponsorship agreements with the flooring company and painter to help reduce costs. The Club estimates they have secured 30,000 of in-kind contributions towards the upgrades representing a significant saving compared to if the owner (HCC) sought to do the work themselves.
- (5) Further note that the total costs for the project and secured funding still have a gap of \$25,000 to bridge. Notwithstanding that some of this cost includes council fees and planning stage costs that were not accounted for in the original funding request.
- (6) Note that council are contributing \$1.8 million towards the upgrade of Queenborough Oval
- (7) Further note that, HCC’s internal policies mean that there is no longer capacity for discretionary project funding to be able to contribute without council approval.

Calls upon officers through the CEO to be empowered to assess this project, and if the cost/benefits of providing the last remaining amount stack up then authorise payment out of the emergency contingency budget as required.”

Rationale:

“The HFC were successful in receiving a grant to upgrade facilities at the TCA ground, a HCC facility. The community benefits of the upgrades are obvious, however like many construction projects, quotes and work costs are now estimated higher than originally planned. Noting this, HFC have admirably pursued and obtained further funding commitments and have also used their resources and networks to further reduce project costs via in kind contributions.

However, they are now at an impasse, and given the strict budget processes of HCC, HCC hasn't provided for it in the program of capital works and HCC doesn't maintain discretionary funding. This motion calls for the CEO (or officers) to be empowered to assess the benefits and provide the enabling funding if required."

Administration Response to Notice of Motion

Discussion:

1. The Hobart Football Club (HFC) contacted City of Hobart Sport and Recreation staff on 14 February 2025 to advise that given the TCA ground upgrade project was likely to incur a shortfall of around \$25,000, the HFC requested that the City of Hobart consider funding this cost gap.
2. Currently the HFC hold a grant from the Tasmanian Government for \$150,000 (of which \$135,000 is remaining).
3. Officers were further advised on 14 February 2025 by the HFC that it has also had received a grant from the AFL for \$50,000, and that the Club had arranged approximately \$30,000 of in-kind assistance through sponsors to support the project.
4. The HFC has advised that it does not have any further funding to be able to contribute directly to the project, to meet the anticipated cash shortfall.
5. There have been increasing instances in recent years of Federal or State Government funding being provided to clubs and associations for projects, for a funding shortfall to be identified as part of project implementation, leading to subsequent requests to the City of Hobart to meet the funding gap.
6. The City determines an annual Capital Works Program which considers a range of criteria against which projects are funded. As part of this process, there are always many proposed projects that do not receive funding, even when they may strongly align to organisational strategies and/or commitments.
7. However, during any financial year there are projects which do not proceed, come under-budget or have their scopes changed.
8. This creates a Capital Works Program surplus from which projects listed as lower priorities, and/or new projects outside the initial program may be considered.
9. Within this context, the Capital Works Committee can and does consider discretionary funding for projects on a case-by-case basis.
10. This process provides a transparent and fair avenue which ensures community benefit and value for money when considering funding.

11. The \$25,000 funding request for the TCA ground upgrade project has now been set up in the appropriate program and will be considered by the Capital Works Committee for funding from the Capital Contingency allocation.

Current situation

The Hobart Football Clubrooms are located on the western side of the TCA Ground. The rooms have been under lease to the Hobart Football Club (HFC) from the City since the grounds ownership was transferred in 2000.

Under the current lease agreement, the Club pay a nominal rental and are responsible for all maintenance and operational costs associated with the building, including internal improvements - however the City is responsible for the structural assets of the building.

The current rooms are functional but there has been very little expenditure on the building since its construction around 1970. The facility contains open bay showers and antiquated toilet facilities that do not meet current expectations or standards.

The building remains under lease to the football club until 2027.

In 2024 the Club made officers aware that the State Government had made a grant allocation for \$150,000 available directly to the Club for a major internal refurbishment of the facility. The refurbishment will include the removal of all of the current fixtures and fittings which will be replaced with modern facilities. Separate 'wet' areas for male and female participants will be included and both will include separated shower bays.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	2 – Community inclusion, participation and belonging.
Outcome:	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.
	2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.
Strategy:	2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life
	2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion
	2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

Legislation and Policy

Legislation: *Anti-Discrimination Act 1998*Policy: *Capital Works Planning and Management Procedure*

Financial Implications:

1. The annual Capital Works Program is approved by Council each year and there is a specific allocation for use on capital works each year consistent with the above policy.
2. Should funding be allocated to this project it will be drawn from the Capital Works Program surplus, which is generated through reduced expenditure on projects not proceeding. The project of this process would need to be assessed against other unfunded priority projects.
3. The project will be considered by the Capital Works Committee for funding from the Capital Contingency allocation at the earliest opportunity.

26. RESPONSE TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

The Chief Executive Officer reports:-

“In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee 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.”

RECOMMENDATION

That the following responses to questions without notice be received and noted.

26.1 Dark Sky City Project

Memorandum of the Head of Executive Services of 11 November 2024

26.2 Parking Ticket Data

Memorandum of the Acting Director Community and Economic Development of 11 November 2024

26.3 Collins Street Bridge Proposal

Memorandum of the Director Strategic and Regulatory Services of 28 January 2025

26.4 FTE Numbers

Memorandum of the Acting Director Corporate Services of 28 January 2025

26.5 Vacant Property Data

Memorandum of the Acting Director Corporate Services of 28 January 2025



City of **HOBART**

MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS

DARK SKY CITY PROJECT

Meeting: Council

Meeting date: 11 November 2024

Raised by: Councillor Coats

Question:

Can the Chief Executive Officer provide an update on the Dark Sky City project and what Committee it reports through to from a governance perspective?

Response:

Council endorsed a commitment to become a Dark Sky City as part of the Sustainable Hobart Action Plan in an effort to reduce light pollution and energy costs.

The City has installed LED streetlights and solar on City buildings, saving \$1.2 million annually on City energy bills since 2016.

The Dark Sky City commitment is highlighted in the *2040 Climate Ready Hobart Strategy* as an example of what the City is doing to lead by example, with a clear goal of zero emissions across Hobart by 2040.

Internally, we have a climate steer co which oversees the implementation of the *2040 Climate Ready Hobart Strategy*. In terms of our public engagement with respect to the Dark Sky City project initiative, it sits with the Climate, Sustainability and Biodiversity Committee.

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.

A handwritten signature in black ink, appearing to be 'Laura Eaton', written in a cursive style.

Laura Eaton
HEAD OF EXECUTIVE SERVICES

Date: 14 February 2025
File Reference: F24/102672



City of **HOBART**

MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS

PARKING TICKET DATA

Meeting: Council

Meeting date: 11 November 2024

Raised by: Councillor Elliot

Question:

Can the Chief Executive Officer provide the Council with some data on the number of parking tickets voided/withdrawn in the last 12 months compared to the previous 12 months?

Response:

Between August 2023 and August 2024, a total of 4,364 tickets were cancelled, compared to 4,941 cancellations in the previous period (August 2022 to August 2023), reflecting a decrease in cancellations.

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.

Felicity Edwards
**ACTING DIRECTOR COMMUNITY AND
ECONOMIC DEVELOPMENT**

Date: 13 February 2025
File Reference: F24/102646



City of **HOBART**

MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS

COLLINS STREET BRIDGE PROPOSAL

Meeting: Council

Meeting date: 28 January 2025

Raised by: Councillor Kelly

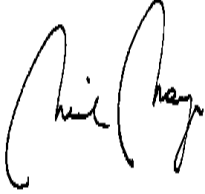
Question:

We have heard about the proposal to install a bridge over Collins Street as part of the Stadium development. Was this taken into consideration with the other work in Collins Street with the dual bike lanes?

Response:

The proposed shared bridge linking Collins Street with Macquarie Point redevelopment site and the Intercity bikeway had been proposed in previous Council plans for this area of the city. It has also been acknowledged as an important link between the proposed stadium and the CBD in the proposal documentation for the Project of State Significance application. If this bridge is realised it would greatly enhance the connectivity of both the cycling and pedestrian network of the City. However, the pre-eminence of Collins Street as the principle east west cycling route through the CBD was identified well before the proposition of this new shared bridge as previously reported to the Council.

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

A handwritten signature in black ink, appearing to read 'Neil Noye', written in a cursive style.

Neil Noye
**DIRECTOR STRATEGIC AND
REGULATORY SERVICES**

Date: 11 February 2025
File Reference: F25/9835; 13-1-10



City of HOBART

**MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS**

FTE NUMBERS

Meeting: Council

Meeting date: 28 January 2025

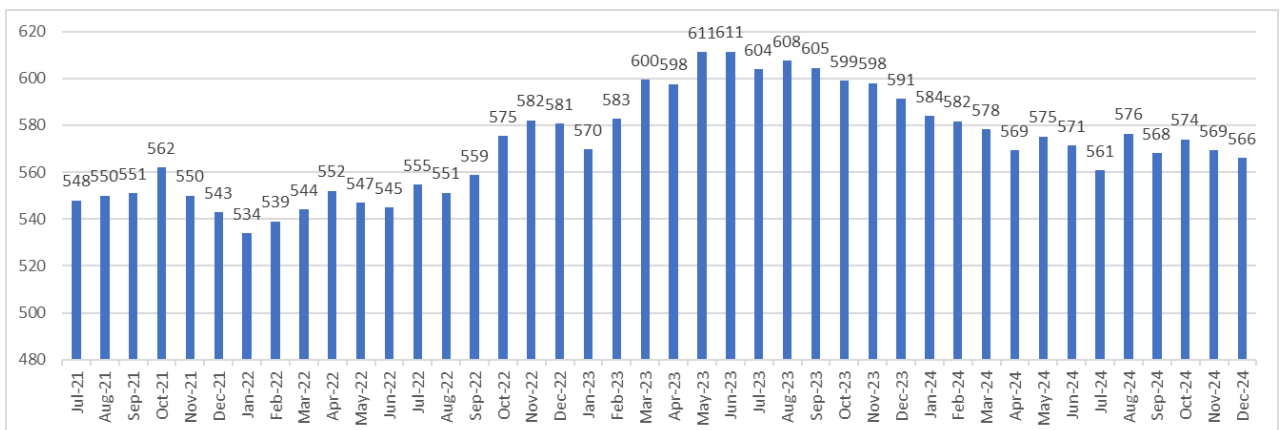
Raised by: Councillor Coats

Question:

Can we be provided with an updated FTE figure and how many new people have been appointed to new roles or existing roles as a result of the recent restructure over the last six months?

Response:

At 31 December 2024, the City had 566 FTEs. The graph below demonstrates the historical FTE numbers and that following the rebuilding of the workforce post Covid, the FTE is currently around the average FTE from November 2022.



Since the organisational realignment in November 2024, 5 new positions were filled and 67 existing roles filled from 25 November 2024 until 7 February 2024.

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



Michelle Wickham
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 12 February 2025
File Reference: F25/9840; 13-1-10



City of **HOBART**

MEMORANDUM: LORD MAYOR
DEPUTY LORD MAYOR
ELECTED MEMBERS

VACANT PROPERTY DATA

Meeting: Council

Meeting date: 28 January 2025

Raised by: Lord Mayor Councillor Reynolds

Question:

What is the most recent data on how many vacant properties there are in the City of Hobart? What would be required for Council to be able to collect this data, in partnership with TasWater, on an annual basis?

Response:

The number of properties in the Hobart municipal area with a land use of vacant is 522, 467 of those are vacant residential land, according to the Office of the Valuer-General (OVG) land use classification.

The OVG does not provide Council with information on whether a property is occupied or unoccupied. Therefore, it is difficult to determine how many properties in addition to the 522 are unoccupied in the Hobart municipal area.

This is because properties with capital improvements, irrespective of the condition of the capital improvements or whether the properties are occupied or not, are not valued by the OVG as vacant land. Properties are valued based on the best or highest use of the land, so there is no OVG property type or land use of 'unoccupied'.

To determine whether a property is unoccupied the City would need to seek data/information from utility providers responsible for essential service connection and usage – such as electricity or water usage. This would require discussions with

the utility providers to determine if they are able to, or willing to provide this data to Council.

The Council has a differential rating strategy for vacant residential land to encourage its development for housing and other purposes, promote the development of all properties to their full potential thereby stimulating economic growth and development in all areas of the municipal area, to discourage the holding of land; and to ensure vacant land owners contribute an equitable share of the rate burden compared to other types of land owners.

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
**ACTING DIRECTOR CORPORATE
SERVICES**

Date: 12 February 2025
File Reference: F25/9846; 13-1-10

27. QUESTIONS WITHOUT NOTICE

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 chief executive officer.
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 maybe 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 chief executive officer 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

28. Questions Arising During Debate

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 During Debate - as at February 2025 

Questions Taken on Notice During Debate (Open)

Council Meeting Date	Open/Closed	Item No.	Responsible Officer	Question	Response	Status	Reported via Council Agenda
28-Jan-25	Open	Item 10	Wes Young, Manager Legal and Corporate Governance	Is there a conflict of interest with the petition referenced in the LAMP as the lead petitioner is now an Elected Member?	Officers cannot advise. Regulation 40 of the Meeting Procedures precludes making an adverse inference regarding a fellow councillor during debate. If a councillor feels there is a conflict the correct avenue is via the Code of Conduct.	Closed	24-Feb-25
28-Jan-25	Open	Item 10	Laura Eaton, Head of Executive Services	Were their initiatives for the elderly, young people or disabled, such as through the Access Advisory Committee, to be included in the engagement process?			
28-Jan-25	Open	Item 10	Laura Eaton, Head of Executive Services	Is it possible to review other LAMPS around the country in response to Community Engagement?			
28-Jan-25	Open	Item 7.1	Wes Young, Manager Legal and Corporate Governance	Can we check our records on our Council if we've accepted hybrid petitions in the past or if we have we've since ceased it?	The question is somewhat ambiguous as it does not differentiate between a section 57 or a section 59 petition. Council has recently refused a section 57/59 petition as it did not comply with the Act. It is officers understanding that the last petition seeking a public meeting (section 59) was not as hybrid, but have not yet conclusively determined as key staff are on leave.	Closed	24-Feb-25
28-Jan-25	Open	Item 7.1	Wes Young, Manager Legal and Corporate Governance	Does any other Council in Tasmania accept a Hybrid Petition and is it the intent to accept hybrid petitions moving forward?	Preliminary investigations have determined that some other councils have refused to accept hybrid petitions that call for a public meeting under section 59.	Closed	24-Feb-25
29-Jan-24	Open	Item 17	Michael Reynolds, Director City Enablers Michael Stretton CEO	Please provide an update on the NOM Audit	The CEO is reviewing and a report will provided at a future meeting.		

29. 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:

- Minutes of a closed Council Meeting
- Information of a personal and confidential nature
- Information relating to commercial arrangements

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 | Micromobility (E-Scooter) Permit
LG(MP)R 15(2)(b) |
| Item No. 7 | Southern Tasmanian Councils Authority - New Model
LG(MP)R 15(2)(g) |
| Item No. 8 | Outstanding Sundry Debts and Debt Write-Offs as at 31 December 2024
LG(MP)R 15(2)(g) |
| Item No. 9 | Questions without notice |