



CITY OF HOBART

AGENDA

Council Meeting

Open Portion

Monday, 30 May 2022

at 5:00 pm

Council Chamber, Town Hall

REPORTS UNDER SEPARATE COVER

ORDER OF BUSINESS

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14. Response to Notice of Motion - UTAS Move to the City
File Ref: F22/36790

Report of the Chief Executive Officer of 26 May 2022 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Response to Notice of Motion - UTAS Move to the City

Introduction

The purpose of this report is to respond to Alderman Briscoe's Notice of Motion around UTAS' move into the city.

Background

At its 15 March 2022 meeting the Council resolved as follows:

1. *A report be provided that addresses the following:*
 - (i) *The consultation, the steps and decisions and reports that both the UTAS and the City Council have undertaken to date from 2015.*
 - (ii) *Effect on amenity or otherwise on the residents of Sandy Bay and other inner city suburbs.*
 - (iii) *Effect on the CBD businesses.*
 - (iv) *Effect on traffic flow and parking in the CBD and in Sandy Bay and other inner city suburbs.*
 - (v) *The short and long term ramifications to the budget of the City.*
 - (vi) *The capital expenditure on infrastructure by the City Council that is required and over what period.*
2. *Council write to UTAS seeking that the UTAS immediately initiate and undertake a community engagement process similar to the Council's community engagement framework and policy regarding the UTAS move into the CBD and the conversion of the current Sandy Bay campus.*
3. *The recent petition seeking a public meeting is dealt with as a matter of urgency.*

This report will provide the Council with an update on all aspects of the resolution.

1(i) Consultation, steps and decisions and reports undertaken by UTAS and the City to date from 2015

Overview

A review of all Council consultation, decisions and reports by the City of Hobart and the University of Tasmania (UTAS) from 2008 demonstrates that over the last 14 years, three successive terms of different councils have supported the proposed city move. It has been the documented position of the City of Hobart since 2009, if not earlier, that the City of Hobart and UTAS have '*common interests in promoting Hobart as an attractive place to study, live and work.*' (*MoU between the City of Hobart and University of Tasmania, January 2009*).

The City of Hobart has an established and formally documented relationship with UTAS as a tertiary education provider in Hobart. A formal relationship and shared desire to work towards Hobart being a 'Univercity' is evidenced through several Memoranda of Understandings (MoUs), legal deeds, joint international delegations to other university cities and regular engagement between the City of Hobart and UTAS.

While earlier consultation, steps, decisions and reports beginning in 2010 focused on a vision for UTAS to have a home in the heart of Hobart – both for education and economic development purposes, it was circa 2018/19 when a proposed masterplan for the redevelopment of the Sandy Bay campus was flagged as part of UTAS' Southern Transformation program.

Hobart 2010, Public Spaces and Public Life – A city with people in mind has provided the basis of a strong city shaping vision for Hobart and is a key strategic reference for development of the inner city area. It has played a fundamental role in underpinning the revitalisation of the inner city and the economy within it. The Inner City Action Plan (ICAP) endorsed by Council in 2011 has provided the overarching strategic basis for which the city is being shaped, including the development of the Draft Central Hobart Precinct Plan (Structure Plan).

The City's relationship with UTAS is formally documented in a number of key strategic documents, including, the *2019-29 City of Hobart Strategic Plan* which states:

- 1.2.5 *Engage with the development sector, government and other stakeholders, such as Macquarie Point Development Corporation and the University of Tasmania, to ensure project outcomes integrate with Hobart's identity and the community vision.*
- 7.4.4 *Work with the University of Tasmania on its transition to a city-centric model and, in particular, its impact on the public realm.*

Similarly in *Hobart: a community vision for our island capital* states at 7.5.2 that the City of Hobart *'will work together across regions, communities, the private sector and all levels of government toward long-term planning and infrastructure outcomes.'*

Council decisions

Whilst the Notice of Motion called for *'the consultation, the steps and decisions and reports that both the UTAS and the City Council have undertaken to date from 2015'* for the sake of completeness, updates prior to this time have been included for the information of the Council.

2009

May 2009 – City of Hobart signs MoU with UTAS

In May 2009, the Council unanimously resolved to endorse a City of Hobart and UTAS Memorandum of Understanding (MoU) to promote Hobart as a centre of educational excellence offering world class educational opportunities and facilities. Based on the information provided to the Council, the MoU identified three key initiatives to be pursued as priorities for the first year including economic development, professional development and infrastructure development. It was noted that the MoU was *'important as it recognises the close relationship between*

the University and Tasmania's capital city as well as recognising the positive contribution the University makes to the social, cultural and economic development to the community.'

2010

May 2010 – City of Hobart enters into Rates Deed with UTAS

In May 2010, the Council entered into a Deed with UTAS to settle outstanding rates owned by UTAS to the Council. Since amendments to the *Local Government Act 1993* ('the Act') took effect on 1 July 2004, the University and the Council have been in dispute as to whether the amendments had the effect of rendering the University liable to pay general rates for the University's property known as 2 Churchill Avenue, Sandy Bay or whether the University was exempt from such liability further to section 87(1)(d) of the Act. The Deed clarified the rates exempt properties from those that were rateable.

2011

May 2011 – Notice of Motion – Menzies Institute Tasmania

A Notice of Motion (attachment A) from Alderman Thomas was considered at the Council meeting held on 2 May 2011 in relation to Federal Government budget cuts to the Menzies Research Institute of Tasmania. The Notice of Motion noted that the Council was currently considering the Gehl Report and its recommendations for improving the vitality and sustainability of central Hobart and that the report and the Council's current strategic plan lay appropriate emphasis on economic security, employment and resultant increased community facilities (funded in large part by vibrant economic activities). The Council unanimously resolved that the Lord Mayor write immediately to the Prime Minister and the Federal Treasurer requesting that the Menzies Research Institute life-saving research and development programme not be affected by the federal budget funding cuts in the area of medical and scientific research and development as a result of the forthcoming federal budget.

September 2011 – Notice of Motion to support UTAS ARC Linkage Grant

On 26 September 2011, Alderman Harvey submitted a Notice of Motion (Attachment B) in relation to an Australian Research Council Linkage Grant – UTAS Application – Council Support. The Council unanimously resolved as follows:

1. *That officers prepare an urgent report into allocating funding of \$10,000 per year for three years as an equal contribution with the State Government and MONA to help fund a research project by UTAS on 'The Economic, Social and Cultural Impact and Potential of MONA in Tasmania: Towards a Bilbao Effect.'*
2. *The funding contribution towards the project be considered as a partnership between the HCC, State Government and MONA in support of a UTAS application for an Australian Research Council (ARC) Linkage grant that will potentially leverage \$250-\$300,000 from the Federal Government.*
3. *A further report be provided in relation to opportunities for further significant actions to be undertaken between the Council and UTAS.*

December 2011 – Council endorses Gehl Report and ICAP

In response to a report in the Inner City Action Plan (attachment C), on 12 December 2011, the Council resolved unanimously inter alia that;

1. *The Council endorse the projects outlined in the Inner City Action Plan, as attached to item 2 of the Special Open Strategic Governance Committee agenda of 12 December 2011, as the basis for future planning within the inner city.*
2. *The initial priority projects include:-
AP01 – Upgrading Liverpool Street & Collins Street, Between Murray Street and Elizabeth Street;
AP02 – Redesigning the Bus Mall – Collins Street to Macquarie Street;
AP07 – Improved Access from the City across Brooker Avenue to the Queen’s Domain;
AP12 – Identify & Record All Retail and Service Businesses in the City;
AP13 – Review & Recommend Opportunities to Promote City Living; and
AP15 – Activating Public Places*
3. *The Council note the potential impacts on its operating result.*
4. *A marketing and promotion campaign be developed and referred to the Marketing and Events Committee.*
5. *The Hobart 2010, Public Spaces and Public Life – A city with people in mind (Attachment B), be endorsed, in-principle, as a key strategic reference for the future development of the inner city area.*

2012**March 2012 – Council endorsed Melville Street Car Park and UTAS Student Housing Proposal**

At the closed Council meeting held on 26 March 2012, the Council unanimously considered an item in relation to the Melville Street Car Park and the University of Tasmania’s student housing proposal. To summarise the report, the Council recognised the opportunity presented by UTAS to significantly increase student housing accommodation in association with its expansion of its city campus. Discussions took place with UTAS around the provision of student accommodation in the inner city to support the reinvigoration and expansion of the university campus into the CBD and to further the outcomes envisaged within the Inner City Action Plan recently endorsed by the Council in 2011. At the time, UTAS had secured funding under the National Rental Assistance Scheme for the provision of a number of apartments in southern Tasmania.

In considering this matter, the issue of increasing residential housing in the inner city had been raised by Council on a number of occasions and the proposal was considered to be consistent with AP06 and APO7 in Council’s Inner City Action Plan, namely, ‘*Develop and Enhance – Campbell Street Educational Precinct*’ and ‘*Improved access from the city across Brooker Avenue to the Domain.*’ The proposal was also considered entirely consistent with the strategic planning outcomes around, ‘*creating opportunities to grow the research sector through partnerships with the University of Tasmania and other educational/research providers,*’ and ‘*promoting Hobart as a centre for education at all levels by focussing on the needs of students and encouraging growth in educational facilities and support services.*’ In addition, AP13.08 in Council’s Inner City Action Plan, *Review and Recommend Opportunities to Promote City Living*, states that Council should undertake discussions with the

education providers in the city to determine the likely demand for student housing over the next decade.

May 2012 – Council endorses review of Economic Development Strategy

At its 14 May 2012 meeting, the Council unanimously endorsed a mid-term review of the Council's *Economic Development Strategy 2009-2014* (Attachment D) which contained a number of actions specific to UTAS, including the following:

'Work actively to engage the University – as one of the largest businesses in the City – in discussions about future investment plans and how they can engage most effectively with other developments planned in the City.'

The endorsed MoU between the City of Hobart and UTAS includes the following actions:

'UTAS to assist in the development of Council's Inner City Development Plan' and 'Collaborate on implementation of the UTAS Master Plan as it relates to the Hobart CBD.'

2013

January 2013 – Council negotiates sale of Melville Street Car Park

In January 2013, the Council publically advised (attachment E) that it had negotiated the sale of the Melville Street Car Park to the University of Tasmania for student accommodation, commercial development and car parking. In announcing the sale, Lord Mayor Thomas advised that, *'since the signing of the Memorandum of Understanding with UTAS, the Council has developed a closer working relationship around the needs of education. Our goal has always been to assist the UTAS further grow educational facilities within the city and achieve one of our own goals of increasing the residential population on the inner city.'* *'The sale of the Melville Street land helps the Council achieve some of the key ideals in our Inner City Action Plan in activating the inner city making for better support for business and a more vibrant and active city.'*

May 2013 – Council supports the UTAS Academy of Creative Industries and Performing Arts relocation to Campbell Street

At the closed Council meeting held on 27 May 2013, the Council unanimously resolved that in recognition of the significant and continued contribution that the University of Tasmania has made to the City, the Council support the development of the Academy of Creative Industries and Performing Arts and agree to sell the land at Wapping Parcel 4, 19-27 Campbell Street, Hobart.

October 2013 – Council endorses Economic Development Strategy to increase UTAS presence in the city

On 14 October 2013, the Council unanimously endorsed the City of Hobart's *Economic Development Strategy 2013-2018* (attachment F). As part of a mid-term review process, a workshop was held with Elected Members in September 2012, where a key theme to emerge around targeted tourism was to, *'work with UTAS to sell Hobart as a study location.'*

The new Strategy identified five key objectives for the period of 2103-2018 including to *'seek to broaden the economic base and minimise impacts through promotion and assist with developments, activities, service and events'* in a range of areas including higher education. In addition, the Strategy acknowledged that *'UTAS was on a*

pathway of increasing its presence in the inner city through developments such as IMAS, the Medical Sciences precinct, the Domain precinct and student accommodation in Melville Street. There is investment; increased visitation; but also the education of our community itself is an important outcome for the City and the Council will strive to support the ongoing and increased presence of UTAS in the city.'

2014

September 2014 – Council endorsed traffic management plan for IMAS

At its 22 September 2014 meeting, the Council unanimously resolved as follows in relation to traffic management in the vicinity of IMAS following a request from UTAS:

1. *The Council endorse in-principle the revised traffic management arrangements for Castray Esplanade, Battery Point directly adjacent to the IMAS building as shown in Attachment D to item 3 of the Special Infrastructure Services Committee agenda of 22 September 2014, subject to final approval from the Department of State Growth.*
2. *The University of Tasmania be advised of the Council's decision, noting the Council's commitment to continuing to work with the University to achieve the objectives outlined in their correspondence of 15 September 2014.*
3. *The General Manager be authorised to negotiate the best solution expeditiously.*

December 2014 – Council endorses renewal of MoU between the City of Hobart and UTAS

At its 15 December 2014 meeting, in considering a six monthly progress report – Economic Development Strategy - Proposed Memorandum of Understanding with the University of Tasmania (attachment G) the Council unanimously resolved as follows:

1. *That the General Manager be authorised to draft a new Memorandum of Understanding between the City of Hobart and University of Tasmania with the draft to be submitted to the Council for final approval.*

The report acknowledged the importance of UTAS to the prosperity of the city, both in terms of the development of infrastructure assets (IMAS \$45M investment, Medical Sciences Precinct \$148M, student apartments \$70M, Academy of Creative Industries and Performing Arts \$80M) and intellectual assets (highly skilled people). The City of Hobart has *'worked hard to facilitate such developments where possible. For example, on November 28th 2014 a funding bid was submitted for the Battery Point Foreshore Access way which will provide students and other users a safe and scenic route between the city and Sandy Bay.'*

The report noted that *'although the partnership between UTAS and the City of Hobart is strong, it must be noted that the relationship is not currently governed and structured by an MoU (the existing MoU has expired), The redevelopment and renewal of such a mechanism would be considered beneficial to this relationship.'*

2015**April 2015 – Trade Mission to China report to Council**

The Council considered a report on 13 April 2015 which was reporting back on a State Government delegation which visited China in March 2015. The delegation included the Lord Mayor, Deputy Lord Mayor, General Manager and Group Manager Executive and Economic Development and UTAS' Vice Chancellor and Pro Vice Chancellor of Global Engagement.

July 2015 – Economic Development Strategy Mid-Term Review

At its 13 July 2015 meeting, the Council considered a report in relation to the third mid-term review of the Economic Development Strategy (attachment H). It was noted in the report that, *'the City of Hobart recognised the importance of UTAS to the prosperity of the city..'* and that *'representatives from the Economic Development Unit have also been involved in key events and meetings aimed at feeding into and understanding future plans for developing the expansion of the broader international education sector (including UTAS and other providers).* The report further noted that, *'Since the last 6 month report to Council, the City of Hobart collaborated with UTAS, State Government and local business in completing an important trade mission to China. This included a visit to the University of Science and Technology (Xi'an) at which both the Deputy Lord Mayor and the Vice Chancellor of UTAS officially address students and officials.'*

September 2015 – Council approves second MoU between the City of Hobart and UTAS

A second Memorandum of Understanding between the City of Hobart and UTAS, considered by the Council on 7 September 2015 was unanimously supported (attachment I). The Council resolved as follows:

1. *The draft Memorandum of Understanding 2015-2018 between the City of Hobart and University of Tasmania be approved, subject to the following amendments:*
 - (i) *The working related to Battery Point accessway referenced in the 'Connectivity' section of the draft Memorandum of Understanding, be substituted with movement in and around Battery Point and its foreshore.*
 - (ii) *An additional clause being included under 'Internship and Student Engagement' seeking a strengthening of the integration and co-ordination of activities related to international students.*
2. *Subject to approval by the University Council, the Memorandum of Understanding be signed by both parties at a media event hosted by the Council on 9 October 2015.*

September 2015 – Council approves funding for UTAS for Antarctic Cities Project

At its 21 September 2015 meeting, the Council considered a report in relation to the Antarctic Cities Project – UTAS Funding Request (attachment J) and unanimously resolved as follows:

1. *That the Council provide up to \$40,000 total cash and in-kind funding, per annum, to the Antarctic Cities project for the financial years 2016/17,*

2017/18 and 2018/19, to be funded in each year from the Economic Development function, subject to the successful funding bid buy the Antarctic Cities project to the Antarctic Research Council.

The report notes that the Antarctic Cities project is led primarily by UTAS and Western Sydney University and a number of other institutions in Hobart, Christchurch and Punta Arenas. The Antarctic Cities Project Final Report (attachment K) was presented to the Council at its 11 October 2021 meeting, with the Council unanimously resolved inter alia to note the report.

2016

March 2016 – Brooker Avenue Bridge public access rights negotiated with UTAS

At its 7 March 2016 meeting, in relation to an item titled ICAP AP07 – Brooker Avenue Shared Bridge (attachment L), the Council unanimously resolved as follows:

1. *The Brooker Avenue Shared Bridge be developed, generally in accordance with plans marked as Attachment A to item 6 of the Open City Infrastructure Committee agenda of 24 February 2016, at an estimated value of \$4 million to be funded from an allocation provided in the Public Infrastructure Fund in the 2016/2017 Annual Plan.*
2. *Landlord consent be given pursuant to Section 52 of the Land Use Planning and Approvals Act 1993, for the Brooker Avenue Shared Bridge to be lodged as a planning application.*
3. *The Council initiate formal negotiations with:*
 - (i) *The State Government to enable the Council to acquire land for the purposes of future road widening over part of 19 Bathurst Street, in accordance with Attachment B to item 6 of the Open City Infrastructure Committee agenda of 24 February 2016; and*
 - (ii) *The University of Tasmania for public access rights over the new footpaths and bridge structure proposed to be located on the Domain House Campus site.*
4. *A further report be provided to the City Infrastructure Committee outlining progress on the negotiations with the State Government and the University of Tasmania, prior to finalising any tender for the construction of the bridge.*
5. *A media release be issued in relation to the matter.*

October 2016 – Council approves delegation to Univercities Conference in Budapest and study tour to Freiburg and Cambridge

On 24 October 2016, the Council unanimously resolved to send a delegation to the *UniverCities Conference* in Budapest and a subsequent study tour to Freiburg and Cambridge (attachment M).

The Council resolved as follows:

1. *The Council approve the City of Hobart's participation in the UniverCities Conference in Budapest from 20-22 November 2016 and a subsequent study tour to Freiburg and Cambridge.*
2. *Alderman Briscoe, subject to confirmation of his availability, and Alderman Burnet be nominated to attend the conference as the Council's representatives.*

3. *The Council also approve the participation of the General Manager and/or his nominee.*
4. *The estimated cost of \$14,000 per Alderman be attributed across both the Economic Development – Sister Cities and City Government budget functions within the 2016/17 Annual Plan.*
 - (i) *Those Aldermen attending the conference may elect to utilise professional development allocations provided under the Council policy titled Aldermanic Development and Support, should they wish to do so.*

The Council report noted that the invitation, from the Vice Chancellor, to participate in the *UniverCities Conference* was suggested 'because of UTAS' clear intent to move more of its campus into the inner city' and that 'the Vice Chancellor is clearly wishing to engage the Council in a discussion about what it means to have UTAS based in the inner city and how Hobart can best position itself to take the full benefit of being a University City'.

2017

February 2017 – Univercities reports provided to Council

On 6 February 2017, the Council received officer and Elected Member reports on the outcomes of the *UniverCities Conference* (attachment N).

The Council unanimously resolved as follows:

1. *The Council participate in regular meetings with the University Council and pursue an amendment to the existing memorandum of understanding with the University of Tasmania that seeks to strengthen the strategic relationship between the parties and focus on:*
 - a) *Joint research initiatives, including the socio-economic impacts of the University's move into the City and the movement of people in and around the City;*
 - b) *Public realm improvements, and;*
 - c) *City activation.*
2. *The development of the new vision for the City of Hobart involve extensive consultation with the University of Tasmania as well as other key stakeholders and acknowledge the importance of higher education in the City.*
3. *When contemplating a possible City Deal for the Greater Hobart region, the following be taken into consideration:*
 - (i) *The City Deal be well thought through and recognise what it is hoping to achieve; identify the issues it is seeking to address; is well resourced with appropriate, qualified staff; has a strong leadership structure and appropriate communication and PR support, and involve regional cooperation as well as commitment from the State and Australian Governments.*
4. *The Council pursue a submission to the Smart Cities and Suburbs Program to gather data to assist the community with travel to work information, address congestion and improve the wider movement of people in the City.*
5. *A further report be provided to investigate extending an invitation to Gehl Architects to visit the City for the purposes of reviewing the urban*

transformation work the City has done to date and to provide a public lecture.

6. *On receipt of details of European Union's 'Twin Cities Urban Sustainability' project that a further report be prepared for the Council that considers the cost benefit of the project and identifies potential partner cities, including Freiburg, with whom the Council may partner.*
7. *A visual presentation of the city design learnings from Bristol and Freiburg be provided to the Council, in conjunction with the University of Tasmania. (a) The Governor of Tasmania, or her delegate, be invited to attend the presentation.*
8. *The General Manager be delegated the authority to reimburse appropriate officer travel expenses incurred in attending the UniverCities Conference and Study Tour.*

February 2017 – Lord Mayor writes to UTAS Vice Chancellor

Following the Council decision of 6 February 2017, the Lord Mayor at the time, Alderman Sue Hickey wrote to the Vice Chancellor on 7 March 2017 (attachment O), to *'assure you that the Council is completely committed to and shares UTAS's aspirations to move into the inner city.'*

April 2017 – UTAS invites Council representatives to Going Global Conference, London

In April 2017, Vice Chancellor Rathjen invited Elected Members to attend the *Going Global 2017 Conference* in London. This conference offered an open forum to explore how universities support city-regional economies and social and civic engagement, connect the world's cities to global knowledge and talent and address global challenges; the delegation also visited exemplar university cities prior to attending the conference to experience first-hand the social, cultural and economic aspects of university-led revitalisation.

In response to this letter of invitation, the Council considered a report on the *Going Global 2017 Conference* (attachment P) and resolved on 3 April 2017 as follows:

1. *The City of Hobart participate in the 'Going Global Conference' in London from 22-24 May 2017, and a study tour to visit exemplar university cities in the United Kingdom and Europe prior to attending the conference.*
2. *Nominations to attend received from the Lord Mayor (subject to her availability), Aldermen Cocker, Thomas and Denison be noted and further Aldermanic nominations be invited at the Council meeting.*
3. *The Council approve the participation of the General Manager and / or his nominee (s).*
4. *The estimated cost of \$13,733 per Alderman be attributed to the general Aldermanic conferences allocation in the City Government Function and the Economic Development Function of the 2016/17 Annual Plan.*

April 2017 – Council receives report on EU World Cities Project Katowice, Poland

At its 3 April 2017 meeting, the Council considered a report on the European Union World Cities Project – Katowice, Poland (attachment Q) and unanimously resolved as follows:

1. *The Council nominate one Alderman, two Council Officers and two other representatives, one from the University of Tasmania and one from the private sector to form a delegation of five (5) from Hobart, to attend the European Union's World Cities 2017 Australian initiative. The Council officer nominations, within the delegation being determined by the General Manager.*
 - (i) *The Council note the withdrawal of Alderman Thomas' nomination and the interest of Aldermen Ruzicka, Denison, Sexton, Burnet and Harvey in attending, with the final selection to be determined once the details of the project are known.*
 - (ii) *Aldermanic representation will be dependent on what the project involves, allowing nominated Aldermen to opt in or opt out of the project.*
2. *A media release be prepared announcing the success of the Council in its selection to participate in the Europeans Union's World Cities 2017 Australian initiative.*
3. *Other Aldermen who wish to attend can nominate and apply to use funds allocated as per their Aldermanic Professional Development if deemed appropriate, and agreed to by the European Union organising committee.*

April 2017 – Council fund digital screen at UTAS student housing complex

At its 24 April 2017 meeting, in relation to an item titled, Digital Urban Screen – Elizabeth Street Forecourt of the University of Tasmania Residential Complex (attachment R), the Council resolved as follows:

1. *The Council approve the purchase of a large LED screen for installation in the Elizabeth Street forecourt of the University of Tasmania Student Housing complex, at an estimated cost of \$83,000, to be funded from the existing Property Plant and Equipment allocation for Public Art within the 2016-17 Annual Plan.*
2. *The purchase be subject to receipt of planning approval for the screen to be installed in the proposed location.*
3. *The Council write to the Vice-Chancellor of the University of Tasmania and request a contribution to the capital cost of the digital urban screen.*

It is noted that the Council covered the costs of screen with UTAS covering ongoing costs (power and internet).

September 2017 – Council considers report on EU World Cities Project

Following the resolution made on 3 April 2017, the Council considered another report on the European World Cities Project – Katowice Poland at its 18 September 2017 meeting (attachment S) which advised that given the technical and operational level at which the exchange is aimed it was proposed that the City's delegation consist of two officers nominated by the General Manager. The report goes on to state that a reciprocal meeting involving City of Katowice and Silesia University to place from 9 to 13 October 2017 with 4 Hobart representatives attending a series of meetings in Katowice and the Cities and Regions Conference in Brussels. The General Manager delegated attendance at the meetings to two Council officers with the balance of the delegation, in line with project requirements, to comprise representatives from the

University and the private sector. The Council resolved unanimously as follows in relation to that report:

1. *The Council note that the European World Cities Project with the City of Katowice in Poland is now focussed on the operational and technical levels.*
2. *Alderman Briscoe (subject to availability) be nominated to attend the Cities and Regions Conference in Brussels from 9 to 13 October 2017, with the cost of attendance to be attributed to the City Government Function under conference attendance.*
3. *A report be provided, for information, on the progress of the project following the meetings with the City of Katowice, Poland and Cities and Regions Conference from 9-13 October 2017.*

July 2017 – Notice of Motion seeking City Deal support for UTAS STEM Proposal

On 3 July 2017, a Notice of Motion from Alderman Cocker was submitted to Council on the City Deal to support UTAS' STEM proposal (attachment T), the Council unanimously resolved as follows:

1. *That an urgent report be provided that provides support for UTAS' STEM proposal as the basis of a City Deal for Hobart.*

August 2017 – Council endorses UTAS STEM Precinct to be priority project for Hobart

In response to the above Notice of Motion, in considering a report on the matter (attachment U), the Council resolved as follows at its 7 August 2017 meeting;

1. *The Council resolve that the UTAS STEM Precinct be the priority project for Hobart and the centrepiece of a City Deal and at all appropriate opportunities this position be advocated.*
2. *The Lord Mayor write on behalf of the City of Hobart to the following people impressing upon them the position highlighted in part 1 of this resolution.*
 - (i) *Prime Minister - Malcolm Turnbull.*
 - (ii) *Angus Taylor MP Assistant Minister for Cities and Digital Transformation.*
 - (iii) *Members of Parliament in the seats of Denison, Franklin and Lyons.*
 - (iv) *The Premier of Tasmania – Will Hodgman*
 - (v) *The Leader of the Opposition – Rebecca White*
 - (vi) *The Leader of the Greens – Cassy O'Connor*
3. *Council endorse the holding of a community forum, in partnership with UTAS, at City Hall whereby the importance of the UTAS STEM Precinct project be discussed with the community.*
4. *Council authorise the Lord Mayor and General Manager to undertake the necessary actions to bring the forum to fruition in partnership with UTAS.*
5. *Council develop and execute a media campaign with partners communicating the position highlighted in part 1 of this resolution.*

A copy of the Lord Mayor's correspondence is attached (attachment V).

October 2017 – Council receives report on Going Global Conference and Study Tour

The Council received a report from officers in relation to the Going Global Conference and associated study tour (including visits to L'Aquila, Freiburg and Cambridge) at its 2 October 2017 meeting (attachment W).

The report noted that the visit to Freiburg on 19 and 20 May 2017 was the second visit that Council representatives had undertaken at the invitation of the Vice Chancellor of UTAS. It was noted that UTAS points to Freiburg as an exemplar in the way that it has developed the university and city relationship so that the university is much more integral to daily city life. The delegation examined the opportunity for cities to grow in partnership with their university. The last leg of the study tour was a meeting with the city deal office of Cambridgeshire Council with a key learning from this meeting demonstrating that a city deal can be used as a tool for future planning and to help solve the key issues facing the future. In response to this report, the Council unanimously resolved inter alia as follows:

1. *The Council note the learnings from the visit to Freiburg and Cambridge and apply these in ongoing discussions with UTAS as well as the State Government with regard to a city deal for Hobart.*

December 2017 – Council receives report on Yaizu Delegation

At its 4 December 2017 meeting, the Council considered as report in relation to Yaizu 40 Year anniversary delegation August 2017 (attachment X) and unanimously resolved, inter alia that:

1. *Council officers work with the Department of State Growth, UTAS and industry to explore and develop new economic opportunities arising from the Yaizu-Hobart relationship.*

December 2017 – Council report on EU World Cities tour to Katowice and Brussels

At its 18 December 2017 meeting, the Council received a report on the European Union World Cities Project visit to Katowice and the Cities and Regions Conference in Brussels (attachment Y) which was undertaken by Alderman Briscoe, the Director Conservatorium of Music at UTAS, two Council officers and a member of the private sector. The report notes that the main purpose of the visit was to gain an understanding of the city's qualities, challenges and attributes and identify what opportunities there may be for further collaboration. Based on the learnings, the report proposed two areas of immediate collaboration between Hobart and Katowice; the first through a partnership between UTAS' Hedberg digital, creativity and performing arts centre and a similar institution in Katowice and the second around challenges and initiatives on climate change. In response to this report, the Council resolved unanimously into as follows:

1. *The Hobart City Council explore with the City of Katowice the opportunity for a joint presentation on the challenges and initiatives for our respective cities on climate change to the UN Climate Change Conference COP24 to be hosted by Katowice in December 2018.*

2. *That the City of Hobart encourage the University of Tasmania Hedberg to explore opportunities in collaborating with a suitable cultural and or educational institution in Katowice with the aim of furthering both cities creative and cultural learnings*
3. *Alderman Briscoe's verbal report in relation to the progress of the European Union World Cities Project following meetings with the City of Katowice, Poland and his attendance at the Cities and Regional Conference in Brussels from 9 to 13 October 2017, be noted accordingly.*

2018

February 2018 – Council endorses STEM Project inclusion in City Deal

On 5 February 2018, in response to a report on the Hobart City Deal Heads of Agreement (attachment Z), the Council unanimously resolved as follows:

1. *The Heads of Agreement for a Hobart City Deal marked as Attachment A to Item 6.4 on the Open Governance Committee meeting agenda of 30 January 2018 be noted.*
2. *The General Manager be authorised to:*
 - (i) *participate in officer discussions on the formation of a City Deal for Hobart, including the scoping of a Greater Hobart Act; and*
 - (ii) *provide regular reports to the Council on these matters, including the implications on Council resources and priorities.*
3. *The Acting Lord Mayor write to the Prime Minister acknowledging that the City of Hobart is interested in participating in a Hobart City Deal, and strongly supports the Stem Project being the subject of the Deal, and further to this the Council may make a contribution to the government's final offer upon receipt of details of the Deal, including proposed timeframes for delivery.*
 - (i) *A copy of the letter also be forwarded to the federal MHA's for Denison and Franklin as well as all Tasmanian Federal Senators.*

A copy of the Lord Mayor's correspondence is attached (attachment AA).

June 2018 – Compensation for sale of land at 19-27 Collins Street

The Council sold a parcel of land situated at 19-27 Collins Street Hobart and known as Wapping Parcel 4 to UTAS for the purpose of its Academy of Creative Industries and Performing Arts (ACIPA). In order to facilitate this development, Parliament enacted the *Theatre Royal Precinct Redevelopment Act 2016* ("the Act") which, inter alia, vested three small parcels (totalling 16.9m²) of Council land in the Crown. The Act provided for compensation to be paid to the Council which ultimately occurred.

2019

April 2019 – Council briefed on Southern Campus

On 8 April 2019, the Acting General Manager advised Elected Members via memorandum of the University of Tasmania's decision to pursue the development of a southern campus in Hobart's city centre and Sandy Bay redevelopment (attachment AB). A briefing on this matter was provided to Elected Members by Vice-Chancellor Rufus Black on 9 April.

June 2019 – UTAS proposes Governance Forum to Council

In June 2019, the Council received correspondence from the Vice-Chancellor, Professor Rufus Black proposing the establishment of a governance forum. In his correspondence, Professor Black, noted that the University of Tasmania's Council recently took the historic decision to develop a campus in inner Hobart over the next 10 to 15 years. The correspondence articulates the University's intention to act as a steward for the current Sandy Bay campus land for many years and this land is likely to be developed for a range of uses including residential, educational and community purposes.

Professor Black goes on to say that they are aware of important related initiatives such as the City Precincts Plan, how an increased density of people in the city might support the delivery of better infrastructure and public transport and that there is a need to develop a campus which works for both the University and the community. In order to achieve best outcomes for greater Hobart and its residents the governance forum was proposed to consist of the Vice-Chancellor (UTAS), Chief Operating Officer (UTAS), the Director Corporate Affairs (UTAS), Executive Director Southern Transformation (UTAS), Lord Mayor (City of Hobart), General Manager (City of Hobart) and two elected representatives (ideally with responsibility in key fields as planning and finance). The correspondence noted that UTAS were interested to explore with the City of Hobart how to coordinate with the State Government to ensure critical issues such as planning, public transport and the provision of State services are dealt with in an integrated way.

In the letter it was suggested that the first order of business would be to agree the basis of a 10-year infrastructure compact, into which the University would pay the equivalent of the general rate on its inner-city properties to provide infrastructure related to the delivery of this shared vision for the city.

June 2019 – Council endorses City of Hobart and UTAS Governance Forum

The Vice-Chancellor's correspondence was included in a report (attachment AC) on the proposed governance forum which Council considered at its 17 June 2019 meeting whereat it unanimously resolved as follows:

1. *The Council note the correspondence from the UTAS' Vice Chancellor, Professor Rufus Black.*
2. *The Lord Mayor and General Manager be appointed to the City of Hobart and UTAS Governance Forum.*
3. *The Chairmen of the City Planning Committee and the Finance and Governance Committee be appointed as members of the City of Hobart and UTAS Governance Forum.*
4. *The Council write to the Vice Chancellor requesting consideration for the Chairman of the Economic Development and Communications Committee also being appointed to the City of Hobart and UTAS Governance Forum.*
5. *Alderman Denison be appointed proxy representative for any Council nominee unable to attend.*

To date there have been 9 meetings of the governance forum. Documentation relating to meetings of the governance forum is not currently publically available and is also the subject of an application for assessed disclosure pursuant to the *Right to*

Information Act 2009 and therefore is unable to be provided until the assessment under that Act has concluded.

December 2019 – Council signs 10 Year Heads of Agreement (HoA) with UTAS

In response to a report considered at the closed Council meeting of 2 December 2019, a joint City of Hobart and UTAS release was made publically available in relation to a 10-year Heads of Agreement (attachment AD).

The 10-year Heads of Agreement, delivered through a senior working group, including Lord Mayor Reynolds, Deputy Lord Mayor Burnet, Alderman Zucco and the University's Vice Chancellor Professor Black.

To summarise the agreement, it covers the following points:

- Council will assess any application for exemption by the University under s87(1)(d) of the *Local Government Act 1993* and, subject to the exemption applying, will grant the exemption
- The University will make ex gratia payments in respect of Rateable Land and Student Accommodation Land and the quantum of the payments will increase by CPI annually (the rates equivalency payment)
- Should the University purchase any additional land which is exempt, it will also attract the rates equivalency payment
- In addition to the rates equivalency payment, the University has agreed to pay development contributions in situations where Council intends to undertake works near land owned by the University and those works will directly benefit the University
- The parties will meet annually in March to discuss:
 - The frequency of instalments of the rates equivalency payments
 - The application or distribution of the rates equivalency payments
 - The identification of works Council intends to undertake to improve and enhance public areas adjacent to or in close proximity to land owned by the University

In the public statement, Professor Black stated that, *'the University was committed to ensuring that its move to the city – which would take place over the next 10 to 15 years – would be profoundly positive in the way Hobart develops'* and *'we approach our campus transformation ever-mindful that these are complex and important considerations and we will take the time needed to create a vision befitting Hobart, which we deeply value as a distinctive and very special place.'*

2020**Lord Mayor writes to Vice Chancellor seeking support for International Students**

At its 27 April 2020 meeting, in relation to a notice of motion from the Lord Mayor, Alderman Thomas and Councillors Sherlock and Dutta, around support for international students (attachment AE), the Council resolved inter alia that:

1. *The Lord Mayor write to the University of Tasmania and other registered training organisations providing international student education in Hobart, encouraging them to provide further assistance to students.*

A copy of the correspondence is attached along with the response from the Vice Chancellor (attachment AF).

2021**September 2021 – Council endorses CEO to provide submission to UTAS Sandy Bay Masterplan**

Elected Members participated in 3 workshops in relation to the UTAS' Sandy Bay Masterplan, unanimously resolving at their closed 20 September 2021 meeting to authorise the Chief Executive Officer to provide a submission on the masterplan. Following consideration of confidential concept plans, the Council's submission was made publicly available on the City of Hobart's website. (attached AG)

The Council at its 25 October 2021 meeting, in relation to the Central Hobart Precincts Plan, resolved as follows:

1. *The Council endorse the release of the Central Hobart Precincts Plan Discussion Paper marked as Attachment A to item 8.2 of the Open City Planning Committee meeting of 18 October 2021, for consultation with the community and all stakeholders being residents, landowners and the commercial and corporate sector and community groups such as TasCOSS.*
2. *The work be undertaken in accordance to the Council's Community Engagement Policy.*

2022**January 2022 – Council report on UTAS Rates Equivalency**

At its closed Council meeting held on 31 January 2022, the Council considered a report in relation to University of Tasmania Rates Equivalency. As a result of this decision, the Council released further information publicly on its website in relation to the rates Equivalency Agreement between the City of Hobart and UTAS.

February 2022 – Council receives petition from Save UTAS Campus Inc

On 28 February 2022, the Chief Executive Officer tabled a petition from Professor Pam Sharpe opposing the relocation of UTAS from Sandy Bay into the City and calling on the Council to convene a public meeting and that any support from the Council be suspended until the public meeting is held. The Council unanimously resolved as follows:

1. *That the petition be received and referred to the appropriate Committee and/or actioned by the administration.*

March 2022 – Notice of Motion on UTAS move to the city

At its 15 March 2022 meeting, the Council resolved as follows in relation to a notice of motion by Alderman Briscoe:

Given the level of public concern that has been raised with elected members of the Hobart City Council, and given that the final decision will be made by the Tasmanian Planning Commission:

That:

1. *A report be provided that addresses the following;*
 - (i) The consultation, the steps and decisions and reports that both the UTAs and the City Council have taken to date from 2015.*
 - (ii) Effect on amenity or otherwise on the residents of Sandy Bay and other inner city suburbs.*
 - (iii) Effect on the CBD businesses.*
 - (iv) Effect on traffic flow and parking in the CBD and in Sandy Bay and other inner city suburbs.*
 - (v) The short and long term ramifications to the budget of the City.*
 - (vi) The capital expenditure on infrastructure by the City Council that is required and over what period.*
2. *Council write to UTAS seeing that the UTAS immediately initiate and undertake a Community engagement process similar to the Council's Community engagement framework and policy regarding the UTAS move into the CBD and the conversion of the current Sandy Bay campus.*
3. *The recent petition seeking a public meeting is dealt with as a matter of urgency.*

This report responds to all aspects of the above resolution. The Lord Mayor wrote to the Vice-Chancellor on 15 March and 19 May 2022 around the use of Council's community engagement processes (attached AH)

In response to 1(ii), (iii), (iv), (v) and (vi) of this Notice of Motion (NoM) report on the impacts of the proposed redevelopment of the UTAS Sandy Bay site it should be noted that a formal assessment process for a Planning Scheme Amendment (PSA) is under way under the Land Use Planning and Approvals Act 1993 (the Act). As part of the assessment a request for information has been issued under the Act in response to the PSA request from UTAS, seeking further information on a wide range of matters, including many which relate to the issues raised in the NoM.

The content of this NoM report has been prepared by council staff with support from an independent consultant and is based on the current state of information from a variety of sources.

Further information required to be provided through the PSA process may well differ substantially from the current state of information provided in this NoM report. This report does not pre-empt, prejudice or override any assessment that the Council as planning authority may make specifically in relation to the PSA under the Act.

There are significant public resources available for review regarding the UTAS relocation to the CBD a list of the reports that have been reviewed in preparation of this report are included below for information.

1. University of Tasmania Strategic Plan
2. QILT Student Experience Survey
3. Travel behaviour surveys
4. Preliminary Traffic Impact Assessment for Central Hobart, May 2018 GHD & RED Consultants
5. Urban Design Framework, 2020
6. Reimagine Sandy Bay Report 1 Engagement Summary
7. Reimagine Sandy Bay Report 2 A Shared Vision
8. Reimagine Sandy Bay Report 3 Engagement 1 & 2 Summary
9. Reimagine Sandy Bay Report 4 Engagement 3 Summary
10. Reimagine Sandy Bay Report 5 Engagement 4 Summary

1(ii) Effect on amenity or otherwise on the residents of Sandy Bay and other inner-city suburbs.

The redevelopment of the UTAS Sandy Bay site does raise the potential for impacts on the amenity of Sandy Bay in particular, and less so for other inner-city suburbs more remote from this site.

These potential impacts include:

- a. Noise from the different uses envisaged when compared to its current and previous use, through such considerations as different on-site activities, the intensity of use and traffic generated.
- b. Character, if the proposed redevelopment is substantially different in built form in terms of height, bulk, scale to the current on-site development, particularly given the mostly detached housing character of much of Sandy Bay.
- c. Intrusion of activities, including vehicle traffic and parking, into residential areas surrounding the UTAS site.
- d. Addition or removal of facilities that are of value to the surrounding area, such as parks, shopping, housing choice and community facilities.

For each of these potential impacts, the actual extent of their effect, either positive or negative, on surrounding areas depends significantly on the actual nature of the redevelopment, and a comparison of such impacts with the traditional use of the site from university purposes. In making such an assessment, it will also be relevant to consider that there are already major non-residential facilities such as schools in the locality, and these bring similar impacts. It is also relevant to understand that the

proposed move of the university from this site is envisaged to be undertaken over a 10 year period, and its redevelopment would occur over a longer period, so that any such impacts will not be immediate.

To date, the information provided publicly about the proposal is more conceptual in nature and does not allow for a detailed assessment of these aspects. The process of considering the Planning Scheme Amendment application that has been made, will involve a detailed assessment, and the request for information made by the City in response to that application raises many aspects of direct relevance to these potential impacts.

Therefore, the full and proper assessment of these would only be possible when the PSA process progresses to a stage where sufficient information is available to undertake that assessment. In such assessment, it is also possible to consider the imposition of conditions or requirements that would manage these impacts. However, in the meantime, the following commentary is provided to assist in the understanding of these potential impacts.

Noise impacts

Current and traditional on site activities at UTAS Sandy Bay are of substantial scale and diversity, with historical peaks of up to 10,000 students enrolled at this campus. Typically, student attendance on site covers both day and evening, while there has also been student housing on site and a range of ancillary facilities like shopping and cafes, recreation ovals and green spaces. It should be noted that there has been significant change in these impacts during the COVID pandemic.

The proposed redevelopment includes new uses, such as a variety of housing types, commercial floor space and the like, while retaining the eastern ovals and green spaces.

To date there hasn't been a direct comparison of the on site population proposed compared to the traditional university use. Such impacts could be seen as positive or negative (e.g. more intense uses, differing times of activity and intensity of that create more offsite impacts use) but might also be managed such that they have a benign or even positive effect on the surrounding areas (e.g. through more internally focussed activities, building and place designs that buffer surrounding areas from these impacts).

These are matters that will need to be considered comprehensively through the PSA process.

Character impacts

Large parts of the surrounding area are dominated by detached housing, of low scale and valued character. However, there are also already existing non-residential uses such as large schools which in making such an assessment, it will also be relevant to consider that there are already major non-residential facilities such as schools in the locality, which contrast with this character in both intensity of use, and scale and bulk of buildings.

There is also a significant contrast between the character of detached housing areas in Sandy Bay and the existing UTAS campus, which features many large scale buildings and large car parking areas.

In considering the proposed redevelopment, it will be important to consider the proposed location, scale and height of new development, and how the redevelopment deals with the “edges” of the site and their compatibility with the surrounding areas. These matters have been identified in engagement undertaken by UTAS to date. As has been noted by UTAS, the size of the site does provide the opportunity to deliver a contained, highly walkable new community incorporating housing, community and economic activity, which would provide the opportunity to manage character impacts.

Some aspects that are known about the proposed redevelopment, such as the retention of the major ovals on the lower parts of the site, will also have a role in mitigating any such impacts.

Character considerations will be an important aspect that will require a full assessment through the PSA process, including consideration as to whether they potentially could be managed by appropriate controls on redevelopment through that process.

Intrusion of activities

There may be a risk of impacts on the surrounding areas if this occurs, and it is noted that parking and traffic in surrounding streets has been an issue with the current use and means of controlling this through the street system are already in place.

Part of the UTAS proposal is to include a range of measures designed to reduce car dependence of the redevelopment and establish better links to the city and other areas through means other than the car. Such proposals obviously require involvement of State government entities also.

These matters also require assessment against similar impacts of the traditional use of the site.

Therefore, while there is the potential for these considerations to impact negatively on surrounding areas, this will again require a full assessment through the PSA process, having regard to the matters raised above.

Addition or removal of facilities

The UTAS Sandy Bay site currently provides a number of facilities of value to the surrounding areas, including shopping, banking, cafes and recreation facilities. If these facilities are not continued with redevelopment, this would impact on the amenity of the surrounding areas, as they currently contribute to convenience and liveability of those areas.

It should be noted the recent Hill Street supermarket, café, bottle shop and medical centre development is servicing the population in surrounding residences as well as surrounding primary and secondary education facilities population and thus it is likely that the bulk of these facilities will continue to trade.

The PSA material provided to date indicate the intention to provide for increased social infrastructure through childcare centres, school, health services, library, performing arts facilities and a community house. Therefore, there is the potential for these to contribute to the amenity of the surrounding areas.

The intention to provide for a wider range of housing on site is also likely to contribute to improved amenity and convenience of the area provided the impacts discussed above are properly managed, as experience elsewhere indicates that this allows residents to remain in their local communities as their housing needs changes throughout their life.

Again, these matters will require a full assessment through the PSA process.

1 (iii) Effect on CBD businesses.

There are two parts to consider in this respect:

- Whether the proposed non-residential components of the redevelopment would adversely affect the intended role of the CBD
- The effects of the move of UTAS into the CBD on those businesses

On the first aspect, UTAS has provided materials addressing this through the PSA process, which indicates as follows:

- The scale of office development would be minor when compared to the existing commercial sector in Hobart CBD. Modelling indicates it would represent only 10-15% of future demand for office space. The Sandy Bay site would likely attract micro and small business. It would not be an attractive destination to attract major corporate offices or government departments.
- The retail components would be complementary to the existing activity centre network and would not adversely affect the role of Sandy Bay Town Centre as the main neighbourhood centre serving the Sandy Bay region.
- The incorporation of a full-line supermarket in Precinct 2 would help to address a significant under provision of supermarket floorspace in the area, while the inclusion of small amounts of retailing within Precinct 1 and Precinct 5 would respond to local site conditions and opportunities.
- The proposed market hall would operate as a visitor destination, providing a complementary offer rather than competing for regular shopping trips that are normally directed to supermarkets.
- The proposed eco-tourism resort is not expected to be a direct competitor with existing commercial accommodation in Hobart CBD due to its significantly different market offering. Serviced apartments are likely to be an attractive offering to users of the sports facilities and are not likely to compete with other, better located accommodation providers in the CBD that meet the mainstream tourism needs.

These are all matters that require full assessment through the PSA process. However, it is quite possible that these matters can be managed through that

process, to minimise any risk of undesirable impacts on the CBD and the Sandy Bay retail centre, for example, by the imposition of floor space limits etc.

In relation to the second aspect, again while no full and proper assessment of this aspect has been undertaken, it is fair to say that experience from elsewhere indicates that the move of universities “downtown” generally have a positive effect on business as they introduce an additional student population that uses the services provided by businesses there, and also create more vitality in the CBD through the presence of this population, and that students tend to remain present beyond business hours thereby adding to the night time economy.

It will be necessary to assess these aspects through the PSA process when full information is available.

Council has requested a summary from UTAS (including estimated timeline) by planned site of student numbers, staffing numbers, potential parking requirements and mobility requirements. This information was received on 25 May 2022 and is attached (attachment AI).

Social and Economic Analysis

The University has provided on request a paper outlining the socio-economic benefits of the proposed moved to the CBD from Sandy Bay campus. This report provided via email on Thursday, 5 May 2022 provides a narrative for the potential socio-economic impacts particularly to the student and potential student cohort within the community as separated from the wider socio-economic impact to CBD businesses. (attachment AJ)

The City of Hobart engaged HillPDA to identify the potential economic and demographic impacts of the COVID-19 pandemic on Tasmania and Hobart Local Government Area (Hobart LGA). This analysis was used to update previous population, dwelling, employment, and floorspace projections for Central Hobart prepared by HillPDA under pre-pandemic conditions. This was commissioned as part of the Central Hobart Precincts Structural Plan and released at the same time as the CHPSP Discussion paper in November 2021. (attachment AK)

The projections from this report will be utilised to support the finalisation of the Central Hobart Precinct Structure Plan and cannot be reviewed in isolation for the UTAS development.

1(iv) Effect on traffic flow and parking in the CBD and other inner-city suburbs.

Reports have been provided by relevant experts for UTAS through the PSA process including a Transport Impact Assessment and Sustainable Transport Strategy prepared. The former assesses directly the likely impact of the proposed redevelopment on parking and traffic both on site and in the locality, including the CBD; while the latter identifies targets for use of more sustainable transport modes and strategies to achieve these.

The Strategic Planning report that also accompanied the PSA indicates that a strategic assessment of the masterplan’s land use and transport assessment was undertaken against the Southern Tasmania Regional Land Use Strategy 2010-2025

based upon the findings of these two reports. It considers that the proposal achieves compliance with this Regional Strategy by:

- Providing a spatial expansion of existing transport corridors to higher order activity centres.
- Contributing to higher density residential and mixed-use developments 400-800m within integrated transit corridors (i.e., Churchill Ave or Sandy Bay Rd).
- Alternative parking rates have been argued for through the Sustainable Transport Strategy.
- Encouragement of active or public transport has been outlined in the masterplan via bus connections, a mobility hub and identifying an integrated, pedestrian-focused movement network.

At a broad strategic level, there is the opportunity for the move to be positive for overall traffic, provided it is not undertaken on a “business as usual” approach where nearly all trips are by car, and the move downtown of a major facility such as a university does open up the prospect of more shared trips (where more than one purpose is achieved with a single trip).

There are a wide range of interacting variables that need to be understood and assessed through the PSA process to establish whether these purported outcomes are supported by the evidence.

Detailed mobility analysis of the 64 CBD blocks has been commissioned as part of the Central Hobart Precincts Structural Plan project and this has informed the draft structural plan that will be shared as part of the next phase of stakeholder consultation in July 2022.

In response to questions posed by Elected Members during the recent DA process for 83 Melville Street regarding the commitment to providing parking in the city the university committed to ‘working closely with the City of Hobart and Tasmania’s Department of State Growth – including around Park and Ride facilities – to ensure all our parking initiatives help, and don’t hinder, their planned improvements.’

<https://www.utas.edu.au/news/2022/5/9/1256-parking-plans-how-the-city-move-will-ease-congestion/>

1(v) The short and long term ramifications to the budget of the City. **Short to Medium Term**

The Rates Equivalency Agreement between the City of Hobart and UTAS provides that UTAS will pay in the circa of \$3.8 million to the City of Hobart for the 10-year life of the Agreement (excluding annual CPI increase and future developer contributions). This figure is an approximate equivalent of the General rates that UTAS would have paid on buildings that they are now using and developing in the City of Hobart.

Should the University purchase any additional land which is charitable rates exempt it will also attract the rates equivalency payment.

It is prudent to remind the Council that under the Privacy Act 1988 Council cannot provide specific information about a ratepayer or rates paid on particular properties to a third party. This includes information on who is paying rates for a property and amounts as it relates to private ratepayer information.

Long Term

There may be financial benefits for the long term budget of the city but this is highly speculative depending on the extent of redevelopment at Sandy Bay. Until the full planning scheme amendment proposal has been submitted to Council as a planning authority and is assessed we are not able to determine the long term financial impact of the changes to the Sandy Bay site.

It should also be noted that even if the planning scheme amendment was successfully progressed the subsequent processes for development approval and building approval applications must still be progressed. The development opportunities as a result of an approved PSA are significant and would have wider economic implications.

However, given the current uncertainties a conclusive position on the City's overall financial situation from this move cannot be reached.

1(vi) The capital expenditure on infrastructure by the City Council that is required and over what period.

Under the Rates equivalency agreement, UTAS has also agreed to pay development contributions in situations where Council intends to undertake works near land owned by the University and those works will directly benefit the University.

Council have identified the first tranche of this work as the mid-town enhancement project and this contribution will be effected as part of the capital expenditure budget in the 2022-2023 financial year.

As with all major developments in the council area, there is an opportunity for the council to work collaboratively with developers to negotiate the appropriate infrastructure needs for each of the development applications.

Infrastructure needs are identified based on the individual developments.

If the costs for infrastructure exceed the costs that the Council would normally be responsible for, the development may provide an opportunity for reduction in cost incurred to the Council as we have done with other developments across the city.

An example where this has recently been negotiated is with the Tasman Hotel redevelopment of Parliament Square, including infrastructure upgrades with developer Citta Property Group. The negotiated upgrades provided a high quality outcome to an enhancement of the public realm.

SGS Economics and Planning were commissioned by the City to provide advice on financing options for public infrastructure needs as part of the CHPP. The future built

form and use of the Central Precincts will drive demand for public infrastructure. The regulatory context in Tasmania is such, that development contributions are not used extensively. The key available mechanism is through Part 5 Agreements under the Land Use Planning and Approvals Act 1993 (LUPAA). (attachment AL)

Other potential funding opportunities

The redevelopment of the Sandy Bay site may include the opportunities to leverage commonwealth, state philanthropic and other private funding contributions for the purpose of providing increased public amenity and usage such as the example demonstrated in The Hedberg redevelopment undertaken in a partnership between UTAS, State and Commonwealth governments.

April 2022 – Council notes petition from Save UTAS Campus Inc

At its 11 April 2022 meeting, in response to the petition from Save UTAS Campus Inc (attachment AM), the Council unanimously resolved as follows:

1. *The Council note the petition submitted by Save UTAs Campus Inc and received by the Council on 28 February 2022, which requests the following action by the Council:
‘We the undersigned electors of the City of Hobart request that:
(i) Hobart City Council shall forthwith suspend all support in relation to the relocation proposal until completion of a comprehensive review of the relocation proposal in a form that enables community comment.
(ii) Pursuant to S.59 of the LG Act, the Hobart City Council shall hold a public meeting regarding the relocation proposal.’*
2. *Noting that the number of signatories to the petition meet the criteria required under s 59(2) of the Local Government Act 1993, the Council resolve to hold a public meeting no later than Wednesday 11 May 2022 at approximately 7.00pm at the Town Hall or City Hall.*
3. *The Chief Executive Officer take all necessary steps to facilitate the public meeting in accordance with the requirements of the Local Government Act 1993 and also in regard to logistics.*
4. *In resolving to conduct the public meeting, the Council note its statutory obligations as the local government planning authority.*
5. *The petitioner, Save UTAs Campus Inc be advised of the Council’s decision.*

In relation to part 1(i) of the Save UTAS Campus Inc petition above, the City cannot ‘suspend all support’ with a stakeholder and public authority in the municipal area.

May 2022 – Public Meeting at City Hall

A public meeting was held on 11 May 2022. Section 60A(5) of the *Local Government Act 1993* states that 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.

May 2022 – Council report on Public Meeting motions and decisions

The summary of submissions and decisions made at the 11 May 2022 public meeting were presented to the Council on 16 May 2022 (attachment AN), whereat the Council resolved unanimously as follows:

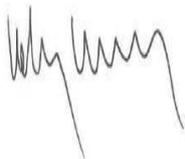
1. *The motions and decision at the public meeting held on Wednesday 11 of May 2022 and included as Attachment A to this report, be immediately acted upon with an urgent report prepared for Council via the appropriate committee within a month.*
2. *The report being prepared in response to the Notice of Motion adopted by Council at its meeting of 15 March 2022 be dealt with separately.*

RECOMMENDATION

That:

1. ***The Council note the information regarding the history and effect of UTAS' move into the city provided in this report in response to the Notice of Motion adopted by Council on 15 March 2022.***
2. ***The Council note that it has written to the UTAS on two occasions, 15 March and 19 May 2022 requesting that UTAS undertake a community engagement process similar to the Council's community engagement framework and policy in relation to its move into the CBD and the conversation of the current Sandy Bay campus.***
3. ***The Council note that the petition seeking a public meeting was dealt with, with a public meeting being held on 11 May 2022 and the outcome of that public meeting being the subject of another report on this agenda.***

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.



Kelly Grigsby
CHIEF EXECUTIVE OFFICER

Date: 26 May 2022
File Reference: F22/36790

Attachment A: Notice of Motion - Alderman Thomas - Menzies Institute (Supporting information) 

Attachment B: Notice of Motion - Alderman Harvey - ARC Linkage Grant (Supporting information) 

Attachment C: Report - Inner City Action Plan (Supporting information) 

- Attachment D: Report - Economic Development Strategy - Mid term Review (May 2012) (Supporting information) 
- Attachment E: Media Release - Melville Street Car Park Sale (Supporting information) 
- Attachment F: Report - Economic Development Strategy - Mid term review (October 2013) (Supporting information) 
- Attachment G: Report - Economic Development Strategy Progress Report (Supporting information) 
- Attachment H: Report - Economic Development Strategy - Third mid-term (July 2015) (Supporting information) 
- Attachment I: Report - City of Hobart and UTAS Second MOU-2015-2018 (Supporting information) 
- Attachment J: Report - Antarctic Cities Project - Funding Request (Supporting information) 
- Attachment K: Report - Antarctic Cities Project - Final Report (Supporting information) 
- Attachment L: Report - Brooker Avenue Public Access - Inner City Action Plan (AP07) (Supporting information) 
- Attachment M: Report - University Cities Conference - Budapest (Supporting information) 
- Attachment N: Report - Univercities Conference & Study Tour - Attendance Reports (Supporting information) 
- Attachment O: Letter - Lord Mayor to Vice Chancellor ((March 2017) (Supporting information) 
- Attachment P: Report - Going Global Conference (Supporting information) 
- Attachment Q: Report - European Union Work Cities Project (April 2017) (Supporting information) 
- Attachment R: Report - Digital Urban Screen - Elizabeth Street (Supporting information) 
- Attachment S: Report - European Union World Cities Project (September 2017) (Supporting information) 
- Attachment T: Notice of Motion - Alderman Cocker - UTAS STEM Proposal (Supporting information) 
- Attachment U: Report - Response to STEM Notice of Motion (Supporting information) 
- Attachment V: Letter - Lord Mayor to Prime Minister (August 2017) (Supporting information) 
- Attachment W: Report - Going Global Conference and Study Tour - Attendance Report (Supporting information) 
- Attachment X: Report - Yaizu 40 Year Anniversary Delegation (Supporting information) 
- Attachment Y: Report - European Union World Cities Project (December 2017) (Supporting information) 
- Attachment Z: Report - Hobart City Deal - Heads of Agreement (Supporting information) 

- Attachment AA: Letter - Lord Mayor to Prime Minister (February 2018) (Supporting information) 
- Attachment AB: Memorandum - University of Tasmania Southern Campus Announcement (Supporting information) 
- Attachment AC: Report - City of Hobart and UTAS Governance Forum (Supporting information) 
- Attachment AD: Media Release - Rates Equivalency Agreement (Supporting information) 
- Attachment AE: Notice of Motion - Councillors Sherlock and Dutta, Alderman Thomas and Lord Mayor - International Students (Supporting information) 
- Attachment AF: Letter - Lord Mayor to Vice Chancellor (April 2020) (Supporting information) 
- Attachment AG: Submission - UTAS Sandy Bay Masterplan (Supporting information) 
- Attachment AH: Letter - Lord Mayor to Vice Chancellor (15 March and 19 May 2022) (Supporting information) 
- Attachment AI: Letter - UTas response to City of Hobart request for information (March 2022) (Supporting information) 
- Attachment AJ: UTAS Report - Potential Socio-Economic Impacts (Supporting information) 
- Attachment AK: Central Hobart Precinct Plan - Economic, Demographic and Employment Study COVID-19 Update (Supporting information) 
- Attachment AL: Central Hobart Precincts Plan - Development Contributions for Shared Infrastructure (Supporting information) 
- Attachment AM: Report - Response to Save UTAS Campus Inc Petition (Supporting information) 
- Attachment AN: Report - Submissions and Decisions from Public Meeting (Supporting information) 

15. Resolutions from Public Meeting in Response to Save UTas Petition
File Ref: F22/47430; 16/119-0009

Report of the Chief Executive Officer of 26 May 2022 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Resolutions from Public Meeting in Response to Save UTas Petition

The Council conducted a public meeting at the City Hall on 11 May 2022 in response to a petition submitted by Save UTas Campus Inc. At the public meeting a number of resolutions were passed and these were considered by the Council at its meeting of 16 May 2022, in accordance with the Council's statutory obligations.

At that meeting, the Council resolved that:

- 1. The motions and decisions made at the public meeting held on Wednesday 11 of May 2022 and included as Attachment A to this report, be immediately acted upon with an urgent report prepared for Council via the appropriate committee within a month.*
- 2. The report being prepared in response to the Notice of Motion adopted by Council at its meeting of 15 March 2022 be dealt with separately.*

As such, a table is included in Attachment A to this report which sets-out each resolution passed at the public meeting along with officers' response to those motions identifying recommended action to be taken in respect of each resolution.

During the public meeting a number of questions were also raised by people who spoke to the meeting. These questions were captured and are set-out in Attachment B to this report along with a response to each question. It is not considered that any action need be taken in responding to these questions, but given that they were asked during the public meeting it was important that they be addressed on the public record and any incorrect information corrected.

RECOMMENDATION

That:

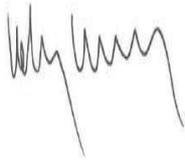
- 1. The Council note the officer response contained in Attachment A to this report to each of the resolutions passed at the public meeting held on Wednesday 11 May 2022.***

2. ***The Council refer resolution 1.1 to the University of Tasmania to consider:***

This public meeting calls upon the University of Tasmania to suspend all action in relation to its proposed relocation from its Sandy Bay campus until the proposal has been subject to a public inquiry as to its merits.

3. ***The Council note the responses provided by officers in relation to the remainder of the resolutions contained in Attachment A to this report and resolve to take no further action in that regard.***
4. ***The answers to the questions raised at the public meeting and included in Attachment B to this report be noted by the Council and included on the 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.



Kelly Grigsby
CHIEF EXECUTIVE OFFICER

Date: 26 May 2022
File Reference: F22/47430; 16/119-0009

Attachment A: Public Meeting Resolutions Responses ↓ 

Attachment B: Responses to Questions raised at Public Meeting ↓ 

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

A public meeting was held by the City of Hobart on Wednesday 11 May 2022 in response to a petition submitted by the Save UTAS Campus. This report summarises the City's response to the seven motions that were passed at that meeting.

The report on the resolution passed on the Notice of Motion on 15 March 2022 will provide further background to Council on matters that relate specifically to the City's relationship with UTAS.

This report seeks to differentiate the issues raised by constituents and stakeholders on questions of city-shaping and vision setting, to the City's role as a statutory planning authority. This report also differentiates discussions and decisions surrounding the University of Tasmania (UTAS) as a public institution and tertiary education provider to those relating to University Properties (UPPL) which is the University's development entity.

The City's relationship with UTAS as Tasmania's only tertiary education provider is long-standing. This relationship is not dissimilar to that which UTAS also shares with the City of Burnie and the City of Launceston, as well as City and University relationships around the world. Whether located in Sandy Bay or in the CBD, UTAS is an important stakeholder which the City must be able to engage with around city-shaping priorities and future vision.

Over the past 14 years, the City has worked with UTAS to ensure that Hobart is a hub for world-class teaching, learning and research. Innovation and education are key pillars in the future vision for the city and there is a need for Council to consider these priorities with a different lens to that which Council uses in its role as planning authority.

For example, it is important to consider the aspects of UTAS that are important for the City to realise its strategic priorities and contribute to projects of state, national and international significance such as the future Antarctic and Science Precinct and Macquarie Point, which will further embed the City as an Antarctic Gateway.

Similarly, the cultural and intellectual history the City enjoys with UTAS are a celebrated part of Hobart as a vibrant and diverse city, such as the Hedberg/Theatre Royal precinct and the Menzies Research Institute.

The relationship with UTAS as a public institution and education provider is very different to the role that the City must play in relation to planning and development approvals. Where the City is engaging with UPPL and UTAS as a Planning Authority, there are significant statutory requirements that govern that relationship and related processes. It is also important to note that Council is not always the ultimate decision-maker on such planning and development considerations.

To assist Council's decision-making and response to the following motions, some key points are:

- The indicative future total footprint of UTAS owned buildings in the Hobart CBD is 4.8%.
- There has been no blanket planning approval for the future development of any buildings owned by UTAS.
- The Tasmanian Planning Commission has ultimate jurisdiction over Planning Scheme Amendments and will ultimately determine the outcome of the proposed rezoning of the UTAS Sandy Bay campus.
- A Public Meeting outcome cannot fetter the statutory planning requirements of a Council.
- UTAS is a public authority and education provider that is regulated by the state and federal government.
- As UTAS is a public authority, there are no pecuniary or commercial interests that create a

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

conflict in decision-making by Elected Members.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 1 -	
<i>Moved:</i> <i>Michael Foster</i>	That:
<i>Seconded:</i> <i>Professor Pamela Sharpe</i>	1. This public meeting calls upon the University of Tasmania to suspend all action in relation to its proposed relocation from its Sandy Bay campus until the proposal has been subject to a public inquiry as to its merits.
Officer Response -	
That the Council request UTAS respond to this part of the resolution, as the City cannot compel or require UTAS to do anything in relation to the University's own decision-making processes or outcomes.	
The Lord Mayor has written to UTAS on 21 March 2022 following the Notice of Motion passed on 15 March 2022 asking that UTAS carry out considered consultation and engagement around the city move.	
	2. This public meeting calls upon the Premier of Tasmania, Jeremy Rockliff, to initiate an urgent public inquiry into the merits of the proposal by the University of Tasmania to relocate from its Sandy Bay campus.
Officer Response -	
That Council resolve it is unable to give effect to this resolution.	
It is a matter for the Premier to determine whether to initiate a public inquiry to review the merits of the proposed relocation. The movers of the motion can instead advance their request for an inquiry through their State or Federal Members of Parliament.	
	3. This public meeting calls upon the councillors of the City of Hobart to cease cooperation with the University of Tasmania in relation to its proposed relocation from Sandy Bay except in relation to statutory obligations.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Officer Response -

That Council resolve it is unable to give effect to this resolution.

The City cannot cease 'cooperation' with a stakeholder and public authority in the municipal area with the exception of any 'statutory obligations'. A public meeting decision cannot bind any Elected Member engagement with a public institution, nor any stakeholder.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 2 -	
<p><i>Moved:</i> <i>Judy Tierney</i></p> <p><i>Seconded:</i> <i>Maureen Robinson</i></p>	<p>That:</p> <p>An open and transparent inquiry be held to fully explain to the people of Hobart why there has been such the lack of public consultation and provision of information to allow informed debate on the University of Tasmania's and the Hobart City Council's support for the proposed move of the current Hobart university campus to the city.</p>
<p>Officer Response -</p> <p>That Council resolve it has no jurisdiction to effect this resolution.</p> <p>The City itself has no jurisdiction to run any such inquiry. The movers of the motion can instead advance their request for an inquiry through their State or Federal Members of Parliament.</p> <p>The report on the Notice of Motion passed on 15 March 2022 to be tabled alongside this report, will reflect that for more than 14 years, consecutive Councils have discussed and made strategic city-shaping decisions based on the University's presence in the city. Elected Members of this Council have also been on Council tours of univer-cities around the world and returned to encourage the Council to create stronger ties with UTAS and support for their increased presence in the city. This Council, and previous Councils have consistently made decisions that commit to advancing teaching, learning, research and innovation in the heart of Hobart. These have been named up as economic, social and cultural priorities for the future of the City.</p>	

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 3 -	
<i>Moved: Joseph Bugden</i> <i>Seconded: John Hamilton</i>	That: Any proposed development of the University of Tasmania site at Sandy Bay be rejected on the basis of broad and relevant community concerns and that, further, the site be retained and used for public education, as was the basis on which the site was provided by the Government of Tasmania on behalf of the people of Tasmania.
Officer Response - That Council resolve it cannot allow such a resolution to subvert its statutory obligations. A public meeting cannot fetter the statutory planning requirements of a Council.	

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 4 -		
Moved:	<i>Louise Bloomfield - Chairman Confederation of Greater Hobart Business Ltd</i>	That: The Hobart City Council reconsider its responsibilities to small business owners and ensuring that the parking supply is maintained at healthy levels so they can continue to trade.
Seconded:	<i>Paul Daniels</i>	
Officer Response -		
<p>Council seeks to balance the integrated transport, parking and access needs for all users of the city. Council recognises that some small business owners wish to see parking supply maintained as the city grows, and, parking will continue to be a key aspect of Council's future precinct planning including the Central Hobart Precinct Plan and the future North Hobart Precinct Plan.</p> <p>Council is keen to ensure that any provision of car parking by UTas within the CBD is built on sound evidence-based analysis of this need and impact.</p>		

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 5 -	
<i>Moved:</i> <i>Paul Daniels</i>	That:
<i>Seconded:</i> <i>Louise Bloomfield</i>	Elected members list the relationships they have with UTAS, and those of their 'close associates' with the latter being as defined in the <i>Local Government Act</i> .
Officer Response -	
<p>That elected members continue to ensure any interests are declared in relation to UTAS in accordance with their statutory obligations.</p> <p>Elected members have obligations around the declaration of interests in Part 5 of the <i>Local Government Act 1993</i> ("the Act"). Section 48(2) of the Act requires an elected member to declare any interest that the elected member has in a matter before any discussion on that matter commences. In accordance with the requirement in section 54 of the Act, the CEO maintains a register of interests of elected members where the elected member has notified the CEO of that interest.</p> <p>It remains a matter for each elected member to determine whether they have an interest in a matter and fulfil their obligations to declare it.</p>	

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 6 -	
<p>Moved: <i>Louise Elliot</i></p> <p>Seconded: <i>Denis McLoughlin</i></p>	<p>That:</p> <ol style="list-style-type: none"> 1. The Council advise the public what, if any, studies have been undertaken directly or initiated by the Hobart City Council solely or in partnership with UTAS about UTAS relocation and make these studies available in full to the public within fourteen business days of this meeting.
Officer Response -	
<p>A 2018 UTAS report “Potential socio-economic impacts report” will be tabled in the Notice of Motion (NoM) report scheduled for the Council meeting on 30 May.</p> <p>A study on underutilised CBD sites carried out through the Speculate Research Experience program is available here: https://www.hobartcity.com.au/files/assets/public/projects/speculate/speculate-underutilised-20190902-hn-print-h.pdf</p> <p>All existing reports are available here: https://www.hobartcity.com.au/Projects/Speculate-Research-Experience-projects</p> <p>Any additional material available that relates to this motion will be addressed through the Council report on the NoM from 15 March 2022 to be presented to Council on 30 May 2022.</p>	
	<ol style="list-style-type: none"> 2. The Council make available to the public the meeting agendas, papers and minutes from the Hobart City Council and UTAS Governance Council meetings for the past eight years within fourteen business days of this meeting.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Officer Response -

Council resolve that the response to this resolution cannot be provided due to a current Right to Information Request.

The material proposed for release by this resolution is not currently publically available and is currently the subject of an application for assessed disclosure pursuant to section 13 of the *Right to Information Act 2009*. It is therefore not appropriate that it be released prior to that application being assessed.

3. The Council write to the Premier asking that he support the undertaking of a comprehensive, independent, and public review of UTAS relocation at the State Government level.

Officer Response -

That Council resolve it is unable to give effect to this resolution.

It is a matter for the Premier to determine whether to initiate a public inquiry to review the merits of the proposed relocation. The movers of the motion can instead advance their request for an inquiry through their State or Federal Members of Parliament.

4. The Council formally request in writing to UTAS that:
 - a. UTAS withdraw or pause the applications they have submitted to the Hobart City Council and submit no further applications until a response from the State Government regarding a public review is received or until Local Government elections are held and finalised and a new Council appointed in around October this year (whichever is later) and;

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Officer Response -

That Council resolve it is unable to give effect to this resolution.

Council cannot deny its statutory function as a planning authority – there is a significant risk to giving effect to this motion in terms of interrupting the capacity of council to perform its statutory duties. Further the effect of this motion is contingent on the State Government deciding to request a public review.

- b. UTAS cease and rewind relocation activities that have already made into the city in recent years, with some reasonable exceptions, given the strong and widespread community support against their move and indicate that the Council is making this request on behalf of these community the Council represents.

Officer Response -

That Council resolve it is unable to give effect to this resolution.

Council cannot respond to this part of the resolution, as the City cannot compel or require UTAS to do anything in relation to the University's own decision-making processes or outcomes. It is entirely a matter for UTAS as to whether it wishes to rewind its activities such as the Menzies Research Institute, the Hedberg, the Conservatorium of Music, the Hunter Street Art School and the Institute of Marine and Antarctic Sciences – all of which are current operations in the City.

- 5. The Council develop a policy that governs Council's relationships with other parties when the other party is seeking (directly or indirectly) to influence the strategic direction and vision of our City and that the draft policy be made available for public consultation within 14 calendar days of this meeting.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Officer Response -

Council note the existing policies that govern relationships with stakeholders.

The Council does not have a specific policy as noted in the motion, however it does have a range of documents which suggest that the development of a policy is not necessary.

The Intergovernmental Relations and Advocacy Framework, an internal document endorsed by Council in 2021, provides a framework for Council to undertake advocacy, intergovernmental and stakeholder relations in a post COVID-19 environment.

Additionally, the City's vision – *Hobart: A community vision for our island capital* sets out the City's ten-year Strategic Plan which is used as the basis for all activities and decisions. This will also be enhanced upon the finalisation of the Central Hobart Precincts Plan currently under development to guide the future of the City.

It is therefore considered that the development of a further policy is not necessary.

Attachment A: Save UTAS Campus Public Meeting: Response to Motions

Motion 7 -	
<p>Moved: <i>Marcos Gogolin</i></p> <p>Seconded: <i>Nigel Legge</i></p>	<p>That:</p> <p>It be acknowledged that back in 2012/3 the Tasmanian TAFE Department of Creative Industries South, along with its staff and its 300 enrolled students, were invited by UTas to move to the UTas Centre for the Arts at Hunter St. This move came with many promises (e.g. advanced fabrication lab; multimedia lab; workshops for wood design; for jewellery; for ceramics; car parking etc.) especially towards engaging with younger students via articulation programs for VET towards a UTas bachelor degree. As students were co-enrolled by TAFE and UTas it allowed double dipping on government funding. Articulation was never consolidated towards students' qualifications thus the initial promise became only beneficial to UTas and TAFE managements' budget at the time. UTas made promises which became an opportunity grab, jobs for mates with TAFE and the VET sector becoming a casualty, this must not be allowed to occur elsewhere.</p>
Officer Response -	
That Council take no action in relation to this resolution, as Council has no authority to take any action associated with this motion.	

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 6 – Peter Bicevskis	
Question	Response
<p>How can the HCC be responsible for the independent assessment of the Sandy Bay rezoning and UTAs move when it has already committed in its Hobart Planning Schemes to support the move?</p>	<p>The Council has two functions in relation to the UTAS move to the City.</p> <p>One function is the need to consider and provide strategic direction for the City of Hobart and develop plans for infrastructure and services for the future. The Central Hobart Precincts Plan (CHPP) is part of that function in shaping the future of the City of Hobart and acknowledges the importance of access to education in the heart of Hobart. The statement in the directions paper is a potential future direction that has been determined in consultation with the community. It is important to note that the discussion paper states that the paper has been 'endorsed by Council for engagement purposes only.'</p> <p>Further, the future indicative UTAS footprint in the draft CHPP is 4.8% of the CBD. There are numerous other strategic priorities the City must consider in planning for the future, UTAS is one of many stakeholders that the City engages with.</p> <p>The Council also has a function as a planning authority in which it must consider individual development applications and make decisions based on legislation, the provisions of the planning scheme and the evidence it has before it. Ultimately, any application when finalised and the qualified advice from Council officers on the merits or otherwise of an application, is provided on the public record. Furthermore the determination of the application by elected members is conducted in open Council. There is also opportunity for members of the public to provide a representation on the merits or otherwise of the proposal when amendments are publicly notified. All this information is taken into account when making a decision on individual applications.</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>The Rezoning Application will be determined by the Tasmanian Planning Commission. The City will form its view on the rezoning application – and has currently requested further information on the first draft application, yet ultimate authority to determine any scheme amendments and rezoning will be the Tasmanian Planning Commission.</p>
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Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 7 – Louise Elliot	
Questions	Responses
(a) In 2017 HCC agreed to research the socio economic impacts of the move of UTAs to the City but this research 5 years later has never happened.	A 2018 UTAS report “Potential socio-economic impacts report” will be tabled in the Notice of Motion (NoM) report scheduled for the Council meeting on 30 May.
(b) Despite having no evidence that the move is in our best interests the Council has multiple times provided their blanket support for UTAs relocation a few months ago the Council stated they would support and facilitate the UTAs relocation, this is a massive statement to make and this statement is made repeatedly with no evidence that it’s in our best interests how can Councillors vote against an application or even question a concept when blanket support has already been given.	<p>“Blanket support” has not been provided for the relocation of UTAS to the CBD, as each Development Application submitted by UTAS is considered on its planning merit. The Council in its role as a planning authority considers individual development applications and makes decisions based on legislation, the provisions of the planning scheme and the evidence it has before it. Ultimately, any application when finalised and the qualified advice from Council officers on the merits or otherwise of an application, is provided on the public record.</p> <p>Furthermore the determination of the application by elected members is conducted in open Council. There is also opportunity for members of the public to provide a representation on the merits or otherwise of the proposal when amendments are publicly notified. All this information is taken into account when making a decision on individual applications.</p> <p>The City of Hobart and UTAS have a long-standing relationship as Tasmania's only tertiary institution, with a focus on how teaching, learning and research is vital to Hobart's future.</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

<p>(c) We have major transparency issues for years the Lord Mayor has been meeting regularly with UTAs but no information about what has been discussed and agreed is publically available. The Council knows this is a sensitive topic and is intentionally hiding it from the community, Matters which should be dealt with in the open are hidden away in Closed Council meetings.</p>	<p>The material proposed for release by this question is currently the subject of an application for assessed disclosure pursuant to section 13 of the Right to Information Act 2009. It is therefore not appropriate that it be released prior to that application being assessed.</p>
<p>(d) The Councils submission about UTAs plans for Sandy Bay was dealt with behind closed doors.</p>	<p>Following the consideration of confidential Concept Plans at a closed council meeting, Council's submission was made publicly available on the HCC website. https://www.hobartcity.com.au/Projects/Sandy-Bay-UTAS-redevelopment-submission</p>
<p>(e) The Council should not have provided blanket and unconditional support to a property developer to support and facilitate their wishes with zero evidence that it's in our best interests.</p>	<p>"Blanket support" has not been provided for the relocation of UTAS to the CBD, as each Development Application is considered on its planning merit. The Council in its role as a planning authority considers individual development applications and makes decisions based on legislation, the provisions of the planning scheme and the evidence it has before it.</p>
<p>(f) In my opinion what we have is a Council with an improper association with a property developer and has failed to act in the community's best interests.</p>	<p>The Council has the need to consider and provide strategic direction for the City of Hobart and develop plans for infrastructure and services for the future. The Central Hobart Precincts Plan (CHPP) is part of that function in shaping the future of the City of Hobart and acknowledges the importance of access to education in the heart of Hobart. The statement in the directions paper is a potential future direction that has been determined in consultation with the community. It is important to note that the discussion paper states that the paper has been 'endorsed by Council for engagement purposes only.'</p> <p>Further, the future indicative UTAS footprint in the draft CHPP is 4.8% of the CBD. There are numerous other strategic priorities the City must consider in</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>planning for the future, UTAS is one of many stakeholders that the City engages with.</p> <p>Elected members also have obligations around the declaration of interests in Part 5 of the <i>Local Government Act 1993</i> (“the Act”). Section 48(2) of the Act requires an elected member to declare any interest that the elected member has in a matter before any discussion on that matter commences. In accordance with the requirement in section 54 of the Act, the CEO maintains a register of interests of elected members where the elected member has notified the CEO of that interest.</p> <p>It remains a matter for each elected member to determine whether they have an interest in a matter and fulfil their obligations to declare it.</p>
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Speaker 8 – Judy Tierney	
Questions	Responses
<p>(a) Where’s the money coming from for the City proposal? How much will be taxpayer and ratepayer funded? Will Council be paid full rates for any new UTas structures, once contributing to Council coffers? Or will its charity status see it clear of this community responsibility?</p>	<p>Under section 87(1)(d) of the <i>Local Government Act 1993</i> (Tas) (LG Act), all land [in the Hobart municipal area] is rateable except land or part of land owned and occupied exclusively for a charitable purpose, which is exempt from general rates (the charitable rates exemption). Under the Charities Act 2013, education meets the definition of a charitable purpose and therefore the University, as an education provider is not required to General pay rates to the City of Hobart on such land and buildings. It is however required to pay service rates and charges.</p> <p>While UTAS is not required to pay General rates for those buildings, the Rates Equivalency Agreement between the City of Hobart and UTAS provides that UTAS will pay in the circa of \$3.8 million to the City of Hobart for the 10-year</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>life of the Agreement (excluding annual CPI increase and future developer contributions). This figure is an approximate equivalent of the General rates that UTAS would have paid on buildings that they are now using and developing in the City of Hobart.</p> <p>Should the University purchase any additional land which is charitable rates exempt it will also attract the rates equivalency payment. UTAS has also agreed to pay development contributions in situations where Council intends to undertake works near land owned by the University and those works will directly benefit the University.</p>
(b) Has the HCC had open discussion and regular meetings with the UTAS Council and if so to what effect? and if not why not?	HCC has not had meetings with the UTAS Council. HCC and UTAS Governance Forums have included the Lord Mayor, Vice Chancellor, Hobart City Council Elected Members and officers, but not the UTAS Council.

Speaker 12 – Denis McLaughlin	
Questions	Responses
(a) Car parking and easy access should be the HCC's number one priority.	Parking is a high priority for the City of Hobart and Council recognises this is an important access issue for business owners.
(b) HCC has abandoned its support of shops and businesses in the CBD and is working against our interests, even though these businesses pay massive rates each year.	Council has committed to a new Economic Development Strategy for the City of Hobart, commencing with a series of round table discussions held in March 2022 with eight separate stakeholder groups represented, including retailers, tourism and hospitality, NGO's, creatives and Developers and commerce. The feedback from these sessions, in conjunction with future consultations and research will be used to inform our new Economic Development Strategy,

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>aimed at increasing investment and ensuring we make the most of our strengths as a small but vibrant, creative, liveable capital city and visitor destination.</p> <p>Some of the program initiated over the last two years to support local businesses include:</p> <ul style="list-style-type: none"> • Ensuring our iconic Salamanca Market was quickly established as an interim 'Tasmania's Own Market' established within evolving COVID restrictions to allow up to 5000 people to regularly support hundreds of stall holders and many surrounding businesses. • Developed and rolled out two rounds of the Passport to Hobart Campaign offering promotions and digital rewards with over 5000 customers signed up and almost \$30,000 worth of vouchers issued and around \$133,000 of value added to local business. • Grown the Hello Hobart Campaign 'City-wide' to help visitors rediscover Hobart's City Centre and access on online directory of business and shopping opportunities, which also included 90 minute and 3 hour parking periods, with around \$1.45m of free parking provided over the duration of the pandemic. • Introduced \$4.6m relief package to waive penalties, initiate a zero per cent increase to fees and charges from 2020/21 and applied hard ship support to waive fees and charges for food licences, outdoor dining and refunds of those fees for cancelled events. • \$3.5m assistance to ratepayers and businesses experiencing hardship. • Providing advice and support, connecting business to available resources such as Business Tasmania, Public Health and development of Resilient
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Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>Hobart – our emergency response and recovery program for community members and businesses linking them to resources and information such as grant funding opportunities, working from home etc.</p> <ul style="list-style-type: none"> • Trialling a Business Concierge model to streamline business enquires to Council. • Roll out of around \$250,000 in Artistic support grants, shopfront improvement grants and \$10,000 quick response grants and a further \$350,000 during the pandemic as business support grants. • Piloting new outdoor dining platforms to expand business customer capacity around the city. • Creating more appealing public spaces through our Trial Busking and Street Performance project, thus expanding opportunities for performers from 3 to 27 locations around the City and improving the city scape for business owners. • Instigate a 'transition' period for businesses in the up-take of the Single Use Plastics By-law from April 2020 until July 2021 to reduce transition impacts. • Held a total 6 Hobart Economic Recovery Business Consultative Group meetings from December 2020 to November 2021 to sense check policy decisions, receive feedback and inform future strategic decisions. The Consultative Recovery Group included representatives from a broad range of sectors and representative industry bodies. • At the onset Covid 19 (April to June 2020) conducted a telephone survey of over 200 local businesses to gain insight form businesses owners of how best to support them. This data resulted in the establishment of a range of business grants and the development of the Covid 19 Economic Recovery Framework and Action Plan 2020-22.
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Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

	<p>During the remainder of 2022 and beyond the City of Hobart will be seeking to build further relationships with businesses and business networks to test assumptions in our economic strategy for the city.</p>
<p>(c) The CHPP is a disgraceful document purported as the work of the HCC and State Government that we believe has UTas fingerprints all over it and strongly it's a smokescreen for UTas to destroy the city by closing Melville Street.</p>	<p>The CHPP Discussion Paper brings together issues and ideas to reflect a range of policy positions adopted by Council in various strategies and agreements or being proposed.</p> <p>These ideas are relevant to the purpose of the precincts plan which is to identify the infrastructure, open space, transport and commercial opportunities required to meet the needs of a growing residential population, the region's largest employment centre and Central Hobart as a popular visitor destination.</p> <p>It should be noted that the Council endorsed the discussion paper for engagement purposes only. Feedback from the community is being considered in drafting the actual precincts plan which will be subject to further consultation.</p>
<p>(d) The CHPP does not mention one thing about the existing shops and businesses or their needs.</p>	<p>Statements about businesses in Central Hobart are made under the various sections of the discussion paper, for example under the section for <i>Idea One: A strong city heart</i> which states: "Interconnections between state and local services can enhance economies, coordination and convenience. Similarly the proximity of business, retail, educational and cultural activities creates an 'ecosystem' that thrives on and generates interaction".</p> <p>During consultation on the discussion paper the community asked Council to strengthen statements about existing shops and businesses. This request is being reflected in the draft precincts plan which will be subject to further consultation.</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 15 – Fletcher Clark	
Question	Response
<p>It is high time for the HCC to greatly scrutinise and provide comprehensive review of this relocation proposal the University has failed as part of its culture of a lack of transparency accountability and internal review to provide this mechanism student voices continue to be overheard and proper oversight now.</p>	<p>The Council in its role as a planning authority scrutinises individual development applications and makes decisions based on legislation, the provisions of the planning scheme and the evidence it has before it. Ultimately, any application when finalised and the qualified advice from Council officers on the merits or otherwise of an application, is provided on the public record. There is also opportunity for members of the public to review or provide a representation on the merits or otherwise of the proposal when amendments are publicly notified. All of this information is taken into account by the Council when making a decision on individual applications.</p> <p>The City of Hobart scrutinised the first proposed Sandy Bay MasterPlan and provided a submission https://www.hobartcity.com.au/Projects/Sandy-Bay-UTAS-redevelopment-submission</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 21 – Robin Banks	
Question	Response
<p>I understand that UTAS has committed to paying to Hobart City Council the equivalent of rates as part of the proposed move. Rates it does not pay for the existing campus. That appears to be a windfall gain to the council should the relocation go ahead. In that circumstance how can Hobart City Council make decisions about the campus relocation given the conflict of interest this windfall gain represents?</p>	<p>Under section 87(1)(d) of the <i>Local Government Act 1993</i> (Tas) (LG Act), all land [in the Hobart municipal area] is rateable except land or part of land owned and occupied exclusively for a charitable purpose, which is exempt from general rates (the charitable rates exemption). Under the Charities Act 2013, education meets the definition of a charitable purpose and therefore the University, as an education provider is not required to General pay rates to the City of Hobart on such land and buildings. It is however required to pay service rates and charges.</p> <p>While UTAS is not required to pay General rates for those buildings, the Rates Equivalency Agreement between the City of Hobart and UTAS provides that UTAS will pay in the circa of \$3.8 million to the City of Hobart for the 10-year life of the Agreement (excluding annual CPI increase and future developer contributions). This figure is an approximate equivalent of the General rates that UTAS would have paid on buildings that they are now using and developing in the City of Hobart.</p> <p>Should the University purchase any additional land which is charitable rates exempt it will also attract the rates equivalency payment. UTAS has also agreed to pay development contributions in situations where Council intends to undertake works near land owned by the University and those works will directly benefit the University.</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 22 – Paul Daniels	
Question	Response
<p>University has promised some 1200 car parks in the CBD when Forestry proposal went through they were spruiking some 1600 car parks.</p> <p>F&G Committee list 8 car parks providing 2544 off street parking spaces.</p>	<p>At the City Planning Committee deliberation of the UTAS proposal for the redevelopment of the former Forestry building in Melville Street, a UTAS representative advised that there was scope for significant car parking provision at their future development sites within the city.</p> <p>The UTAS representative did not nominate a specific number that the University would provide until such time as they had spoken to relevant Council officers and undertaken a detailed analysis of need and importantly what impact such carparks would have on the road network and streetscapes of the city. The City of Hobart is keen to ensure that any provision of car parking by UTAS within the CBD is built on sound evidence based analysis of this need and impact.</p>

Attachment B: Responses to Save UTAS Public Meeting – Questions to Council

Speaker 25 – Robert Hogan	
Question	Response
<p>I have lodged 7 RTI's, 5 to UTAs, 1 to HCC and 1 to Dept Premier and Cabinet.</p> <p>No satisfactory informative responses have been received.</p> <p>To the LM, has the HCC undertaken or commissioned any surveys or reports on the views of residents, business operators and or ratepayers of Hobart regarding the proposed move of UTAS in the CBD , if not why, given the seminal importance of this issue has it not done so.</p>	<p>The City of Hobart has not commissioned any surveys or reports regarding the proposed relocation of UTAS into the CBD. Residents, business operators and ratepayers can provide submissions to the development approval process as each building is proposed for redevelopment in the CBD.</p> <p>The City does not commission surveys on behalf of planning applicants.</p> <p>The City consults with community members and stakeholders on city-shaping projects led by the City of Hobart such as the Central Hobart Precincts Plan.</p>

161. Future of Local Government Review - Phase 1 Submission
File Ref: F22/39016

Report of the Chief Executive Officer of 26 May 2022 and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Future of Local Government Review - Phase 1 Submission

Introduction

The purpose of this report is to seek the Council's endorsement to provide a submission to Phase 1 of the Future of Local Government Review.

Background

The Tasmanian Government has commissioned a Local Government Board Review into the Future of Local Government in Tasmania; the Board is a statutory body established under Part 12A of the *Local Government Act 1993* (*'the Act'*).

The objective of the Review is to create a more robust and capable system of local government that is ready for the challenges and opportunities of the future.

The Board will make recommendations on the future role, functions and design of local government and the structural, legislative and financial reforms required to meet this objective.

The Review will be conducted over an eighteen-month period in three distinct stages with progress reports to be provided to the Minister for Local Government and Planning at the conclusion of Stages 1 and 2 of the Review.

A review roadmap, guiding principles and themes have been developed. The Board has identified seven key theme areas based on the services that local government delivers. These themes will provide a structure for community engagement and consultation, research, data collection and analysis. The themes are:

- Community wellbeing
- Economic development and local promotion
- Environment
- Finance and administration
- Governance, accountability and representation
- Infrastructure provision and management
- Land use planning and other regulatory services

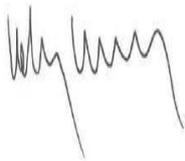
The Review will be undertaken in three key stages; this submission currently before the Council for its consideration will be provided as part of Stage 1 (Community Engagement, Research and Issues Identification). Stages 2 and 3 will be undertaken between July 2022 and June 2023.

Matters raised by Elected Members at the Council workshop which was held on 28 April have been included in the draft submission; previous Council positions on matters relating to compulsory voting, code of conduct matters, together with a comprehensive analysis of good governance across Australia; informing the draft submission.

RECOMMENDATION

That the Council endorse the submission to the Local Government Board in response to the Future of Local Government Review, provided in Attachment A.

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.



Kelly Grigsby
CHIEF EXECUTIVE OFFICER

Date: 26 May 2022
File Reference: F22/39016

Attachment A: Draft submission - Future of Local Government Review ↓ 

DRAFT CITY OF HOBART SUBMISSION
THE FUTURE OF LOCAL GOVERNMENT REVIEW

Executive Summary

Council welcomes the approved reforms which emerged from the consultation conducted with the local government sector and stakeholders in 2018 and 2019. It also agrees with the scope of the review.

The Council has previously participated in discussions around reform of the local government sector in Tasmania and been an active advocate for a strategic alliance with the 'greater Hobart' councils both before and as part of the City Deal. This has seen the development of the Greater Hobart Act 2019 along with the current draft Greater Hobart Plan.

The City of Hobart would welcome further discussions about the potential of the local government reform to identify opportunities of the coming together of Greater Hobart municipal areas; in a way that makes sense; both in terms of geography, demographics and penultimate size in terms of current and future population and optimal organisation scale to meet current and emerging community needs and aspirations.

At the City of Hobart, we have a duty to actively participate in the development of a legislative framework that fosters professionalism, good working relationships, meaningful community engagement and representation and contribution to forward thinking policy among our colleagues. This will empower Tasmanian councils to develop policies, programs and services that will lead their communities in attracting business, residents and visitors to their municipal areas.

Council believes that, central to this, must be a focus on elected member conduct and capabilities. Improving elected member conduct and capabilities will allow councils to develop policies and procedures that focus on the needs of their communities and lead policy.

Having been given a further opportunity to make a submission, Council highlights the following as areas of focus for the new Local Government Act:

1. Elected member conduct

It is imperative that elected members conduct themselves in a way that is conducive to informed, effective and transparent decision-making that promotes the best interests of their council's community. This includes ensuring that elected members receive timely training in connection with their role and responsibilities, as well establishing clear enforcement processes where poor conduct occurs.

2. Principles based approach to local government

Councils must be provided with the autonomy necessary to plan and provide for their unique municipal communities. This approach extends to city shaping, community engagement, policy development, programs and services, complaints handling and procurement. Arrangements should be tailored to, and reflective of, a council's resources and demography.

3. Caretaker provisions

Caretaker provisions and obligations must be incorporated into the legislation to ensure that councils are making decisions that protect council resources and do not inappropriately burden an incoming council.

4. Compulsory Voting

The Council has previously conveyed support for compulsory voting in local government elections in Tasmania. Noting the *Local Government Amendment (Elections) Bill 2022* having been introduced to Parliament, the Council is supportive of the proposed amendments.

5. Role of councils in policy

As councils' communities evolve, councils are called on more frequently to take the lead in matters of policy – housing is a good example of this. Councils are well placed to perform a policy role as they are the closest to their communities and understand their unique needs. This is especially true of the City of Hobart, which assumes a special role in maintaining a capital city that is a vibrant, diverse and attractive destination domestically and internationally. The functions and powers of councils in the Act do not lend themselves to this broader role that councils play. A set of overarching governance principles will be more reflective of modern councils and the nature of their role.

6. An integrated planning and reporting framework

The City of Hobart, would like to see a strengthening of the provisions within the Local Government Act to enable councils to take an integrated approach to strategic planning and reporting.

Local governments know best how to respond to their communities' needs and aspirations, and the capacity of their organisation to deliver on same. Changes to the Local Government Act will provide an important conduit to support the design by the sector, for the sector.

It is suggested that strategic planning and reporting arrangements consider the following key elements:

- Community Vision –bring community and its aspirations and longer-term sustainable thinking to the core of policy and strategy development, planning and fiscal management
- Outcomes focus – a deliberate move to a principles-based Act is required and shifts regulatory focus from prescriptive rules and defined processes towards broadly stated principles and strategic outcomes
- Community engagement –Councils develop appropriate consultation mechanisms (including deliberative engagement) in the context of their community and incorporate these into a policy to be adopted by respective Council's; to be updated every four years to ensure currency.

Detailed Submissions

1. Elected member conduct

Elected member conduct is a central pillar of the efficacy of, and public trust in, local government. At a time of unprecedented public interest in, and expectation of, integrity in public office, Council is firmly of the view that the elected member conduct framework must be strengthened.

Council considers that the current framework for elected member conduct requires significant attention, at least in the areas outlined below.

1.1 *Standards of conduct*

- 1.1.1 The Model Code of Conduct contains various standards which are essential for elected members to observe. A breach of the standards specified in the Model Code of Conduct can attract a range of sanctions, the most serious of which is a 3-month suspension.

- 1.1.2 Council considers that at least some of the conduct addressed by the Model Code of Conduct is so serious as to warrant specific offence provisions in the Act. For example, an elected member who:
- (a) uses their position to improperly gain an advantage, or to influence others; or
 - (b) uses Council resources for their own private purposes,
- ought to be prosecuted for an offence, although it is recognised that similar offence provisions do exist in the current Act.
- 1.1.3 Otherwise, the standards of conduct in the Model Code of Conduct are expressed narrowly and fail to recognise the true nature and extent of the role of elected members.
- 1.1.4 Council cites the prescribed standards of conduct contained in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020 (Vic)* as striking a balance between:
- (a) broad statements of the principles of good elected member conduct; and
 - (b) specific actions of elected members by which they will meet those prescribed standards of conduct.
- 1.1.5 In particular, Council thinks that standards of conduct which expressly address:
- (a) respectful and dignified treatment of others, including the promotion of diversity, inclusion and equality;
 - (b) proper performance of the role of elected member, including informing themselves about matters coming before them for decision and participating in training;
 - (c) compliance with the council's governance measures, including procedures for interactions between elected members and staff; and
 - (d) actions which bring the council into disrepute,
- are suited to the role and conduct of elected members in Tasmania.
- 1.1.6 There is nothing in the Act which directly prohibits dangerous behaviours, such as bullying and sexual harassment. This creates potential confusion and lack of clarity when considering that general employment obligations may or may not apply to elected members. As greater focus is given to the conduct of, and interactions between, elected representatives, such matters must be expressly addressed in connection with elected member conduct.
- 1.1.7 Overall, there is value in adopting an elected member conduct framework which recognises that misconduct occurs on a spectrum, and that some types of misconduct will be more serious and more damaging than others.
- 1.1.8 Again, Council refers the Board to the regime established by the *Local Government Act 2020 (Vic)*, which establishes four levels of misconduct:
- (a) misconduct (eg failure to treat others with respect and dignity, bringing Council into disrepute);

- (b) serious misconduct (eg bullying, sexual harassment, disclosure of confidential information);
- (c) gross misconduct (being misconduct which shows that the elected member is not fit to hold the office); and
- (d) criminal offences (eg misuse of position, improper direction of staff).

1.1.9 This style of framework will recognise the importance of the:

- (a) public role that elected members play;
- (b) influence that elected members have over matters directly affecting the community; and
- (c) expectations of the community in connection with the behaviour of their elected representatives.

1.1.10 It also encourages a level of professionalism of a capital city council, considered to be vital to the proper representation of the community locally and more broadly.

1.2 Code process

1.2.1 Currently, every breach of the Code of Conduct by an elected member is referred to the Code of Conduct Panel. This process is expensive and cumbersome and is unsuited to lower levels of misconduct by elected members.

1.2.2 Council is supportive of a more detailed framework for managing misconduct, with the nature of the resolution process reflecting the seriousness of the allegation as announced as part of the Local Government Code of Conduct Framework Review in December 2021.

1.2.3 This is reinforced by the types of complaints which have been referred to the Code of Conduct Panel in recent times, many of which are concerned with lower-level misconduct, and would be better suited to a more economical informal process.

1.2.4 While these changes were announced in December 2021, no draft legislation has been seen and it is noted that the timeframe identified was that legislation implementing these changes was to be introduced in the 2022 Autumn session of Parliament. Council is supportive of this being expedited.

1.3 Sanctions

1.3.1 Sanctions ought to mirror the seriousness of the misconduct found to have occurred.

1.3.2 Council considers that the sanctions available to a Code of Conduct Panel are appropriate and proportionate in the context of lower-level misconduct. However, there is scope for more serious sanctions as the seriousness of the misconduct escalates.

1.3.3 The Board might consider adding to the existing scale of sanctions available, such as:

- (a) providing an apology in a particular form;

- (b) removal from representative appointments;
 - (c) undertaking specified training or counselling;
 - (d) suspension from office for a period of up to 3 months;
 - (e) suspension from office for a period of up to 12 months; and
 - (f) disqualification from office.
- 1.3.4 This greatly expands the levers available to address poor conduct on the part of elected members, while reflecting the importance of the role that elected members play in the community as popularly elected representatives.
- 1.4 *Conflict of interest*
- 1.4.1 Conflicts of interest are currently limited to pecuniary interests. While Council recognises that perceived and potential conflicts of interest are captured by the Model Code of Conduct, it is submitted that this does not go far enough to address expectations of the community.
- 1.4.2 Relevantly, only a failure to disclose a pecuniary conflict of interest will constitute an offence, where a failure to disclose other types of conflicts of interest can be equally damaging but these are reliant in a complaint being brought against an elected member through the Code of Conduct process.
- 1.4.3 Most jurisdictions have recognised this by going beyond simple pecuniary interests to also address something akin to a perceived conflict of interest. Indeed, in each of Queensland, South Australia and Victoria, conflicts of interest are expressed as going well beyond a simply financial interest.
- 1.5 *Training*
- 1.5.1 The role of an elected member can be complex and is constantly evolving. Elected members need to have an understanding of a broad range of areas affecting councils, including:
- (a) planning;
 - (b) financial management;
 - (c) conduct obligations; and
 - (d) public accountability.
- 1.5.2 Candidate training is required to ensure that people considering nominating for election have an understanding of the extent of the commitment involved in being an elected member.
- 1.5.3 Ongoing training is required for elected members, not only as part of their induction after being elected, but on a regular basis throughout their term. This assists elected members in understanding their roles and, in turn, providing effective leadership and representation for their communities.
- 1.5.4 Council urges the Board to consider introducing mandatory training requirements for all candidates in local government elections and for elected members after election, noting that the Local Government Division is currently developing an education package.

- 1.5.5 Training for candidates should be made a prerequisite for nomination in a local government election.
- 1.5.6 Induction training should be made mandatory for all elected members, to be completed within 6 months after the election.
- 1.5.7 Council requests that the Board considers, when determining the content of mandatory induction training, including the following:
- (a) the role of the Mayor and elected members;
 - (b) the role of the CEO / General Manager and the administration, including interactions between elected members and the administration
 - (c) the Model Code of Conduct (or standards of conduct, as the case may be) and consequences of breach;
 - (d) conflict of interest;
 - (e) engagement and reconciliation with the traditional owners of land within the council's municipal area; and
 - (f) giving effect to gender equality, diversity and inclusiveness.
- 1.5.8 Council recognises that the role of elected members is such that it spans a diverse range of expertise. To support elected members in their continuing development, refresher training sessions should be mandated throughout the council term, at least annually and to align with the requirement in the Declaration of Office made by an elected member at the beginning of each council term that they engage in ongoing professional development.

2. Principles based approach to local government

Tasmania is a diverse state and each council is responsible for land, development, activities, communities and visitors that differ dramatically. The result is that extensive and inflexible prescription of the responsibilities of councils in connection with the fulfilment of their statutory functions and obligations is ill-suited to the particular conditions of Tasmanian local government.

- 2.1 To provide councils with the autonomy they need to plan and provide for their unique communities, a principles based approach should be adopted to enable councils to tailor their respective approaches to matters affecting their communities.
- 2.2 Council encourages the Board to consider establishing broad principles which will underpin the performance of council functions, including:
- 2.2.1 community engagement practices;
 - 2.2.2 complaints handling policies and procedures; and
 - 2.2.3 procurement processes.
- 2.3 This approach will enable councils to tailor their arrangements to, and ensure that their arrangements are reflective of, their council's resources, priorities and demography.
- 2.4 Community engagement is particularly important and should underpin many decisions that councils make. The nature and extent of that community engagement ought to be informed by the type of decision being made and the likely impact on the community or particular parts of it, rather than the current 'one size fits all' approach.

2.5 Council feels strongly that adopting something like the 'IAP2 Spectrum of Public Participation' will assist councils in engaging meaningfully with their communities on matters of importance to them.

3. Caretaker provisions

Restrictions on the activities of councils during the lead up to local government elections are important to ensure that councils are making decisions that protect council resources and do not inappropriately burden an incoming council.

3.1 Councils which adopt a caretaker policy voluntarily may still decide to ignore it without any real consequences, meaning that the potential for inappropriate decisions being made in the lead up to an election remains.

3.2 Council submits that, at a minimum, the following types of decisions should be prohibited under the Act during the election period:

3.2.1 relating to the appointment or remuneration of the Chief Executive Officer (but not to the appointment or remuneration of an Acting Chief Executive Officer);

3.2.2 committing the council to expenditure exceeding one per cent of the council's income from rates and charges in the preceding financial year;

3.2.3 allocating resources for use, whether with express or tacit approval, to elected members beyond what is allocated in existing policies;

3.2.4 adopting new by-laws or policies;

3.2.5 which the council considers could be reasonably deferred until the next council is in place; and

3.2.6 which the Council considers should not otherwise be made during an election period.

3.3 Legislating for these matters will ensure that the position in the lead up to local government elections is consistent across the sector and enforceable.

4. Compulsory Voting

4.1 The council has long held the view that compulsory voting is required in local government elections. This not only assists in engaging the community in local issues but also provides a wider franchise, or mandate for those elected.

4.2 In a non-compulsory voting environment significant local issues current at the time of an election can skew an election outcome through the mobilisation of specific interests while there remains a large non-voting cohort. Compulsory voting would assist in achieving a more balanced result representative of the community as a whole.

4.3 Compulsory voting will also provide a greater opportunity to engage with younger residents/ratepayers. It has been stated that in the 2014 election less than one third of voters aged between 18 and 34 voted, while voter participation for those above 65 was at 70 per cent. This underrepresentation has the potential to create a less representative council.

4.4 The Council's view, expressed in the submission to the Legislative Council Government Administration Committee 'B' Inquiry into the operations of the Tasmanian Electoral Commission, identified the underlying principles that support compulsory voting to include;

- (a) • Increasing participation in democracy

- (b) • Engaging the full electorate
- (c) • Building the relevance of local government
- (d) • Providing consistency across all levels of government.

4.5 It is the Councils view that this issue is fundamental to any update of the Local Government Act and the outcomes sought by this review. It is also the Council's view that the review should include consideration of the mechanisms for the election of the Lord Mayor and the Deputy Lord Mayor as well as consideration of electronic voting in elections and elector polls.

5. Role of councils in policy

The functions of councils are briefly stated in s 20 of the Act as follows:

- to provide for the health, safety and welfare of the community;
- to represent and promote the interests of the community; and
- to provide for the peace, order and good government of the municipal area.

It is widely accepted that these functions have a broad scope, and any number of matters can be considered to fall within it. However, council lack a clear mandate to act on and respond to matters of broader policy.

5.1 Council requests that the Board considers expanding the functions and powers of councils, as those in the Act do not lend themselves to the broader social policy role that councils play. This will ensure that councils are provided with a clear mandate from the Government to engage with their communities on such matters, and to act with the endorsement of the State Government when doing so. It will also ensure that Council is able to obtain sufficient resources to deliver these important functions.

5.2 It is Council's submission that a set of overarching governance principles will be more reflective of modern councils and the role that they are expected by their communities to assume as policy leaders. This approach has been adopted in Victoria and Queensland and provides councils in those states with a clear set of principles that inform their decisions, and the scope of their role.

5.3 By way of example, s 8 of the *Local Government Act 2020 (Vic)* relevantly describes the role of councils as follows:

- (1) The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.
- (2) A Council provides good governance if—
 - (a) it performs its role in accordance with section 9;
 - (b) the Councillors of the Council perform their roles in accordance with section 28.
- (3) In performing its role, a Council may—
 - (a) perform any duties or functions or exercise any powers conferred on a Council by or under this Act or any other Act; and
 - (b) perform any other functions that the Council determines are necessary to enable the Council to perform its role.

- 5.4 Section 9 of that Act sets out what are called the 'overarching governance principles', being matters to which councils must have regard when making decisions. They provide important structure with respect to the broader role of councils in a social context, as well as identifying matters of broad policy with which councils are expected to engage.
- 5.5 By way of example, the 'overarching governance principles' contained in s 9 of that Act include the following:
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - ...
 - (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
 - ...
 - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making...
- 5.6 By augmenting Tasmanian councils' broad functions with something akin to overarching governance principles, the broader policy aspect of councils' roles in their communities will be recognised and supported.
- 5.7 This broader statement of the matters which inform council decision-making will be of particular assistance to Council, which assumes a special role in maintaining a capital city that is a vibrant, diverse and attractive destination domestically and internationally, and a leader in matters of policy, including housing, the arts and the environment.

6. An integrated planning and reporting framework

The review of the future of local government could signal a responsibility and accountability to each individual Council and set the framework for long-term improvement of sector good governance that considers and is responsive to local community needs.

It should drive an integrated approach to planning and reporting to support strategic decision-making through:

- recognising that planning must be holistic and driven by the community
- providing a comprehensive view of available resources and commitments
- enabling alignment of objectives and capabilities, and
- supporting an understanding of medium to long-term implications of decisions on resource allocation and Council performance.