



CITY OF HOBART

# **AGENDA**

## **City Infrastructure Committee Meeting**

### **Open Portion**

**Wednesday, 26 February 2020**

**at 4:00 pm**

**Lady Osborne Room, Town Hall**

## THE MISSION

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

## THE VALUES

**The Council is:**

<b>People</b>	We value people – our community, our customers and colleagues.
<b>Teamwork</b>	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
<b>Focus and Direction</b>	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
<b>Creativity and Innovation</b>	We embrace new approaches and continuously improve to achieve better outcomes for our community.
<b>Accountability</b>	We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

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## **ORDER OF BUSINESS**

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**Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.**

### **APOLOGIES AND LEAVE OF ABSENCE**

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**City Infrastructure Committee Meeting (Open Portion) held Wednesday, 26 February 2020 at 4:00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Harvey (Chairman)  
Zucco  
Briscoe  
Behrakis  
Coats

**Apologies:**

**Leave of Absence:**  
Councillor W Coats.

**NON-MEMBERS**

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta  
Ewin  
Sherlock

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY**

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**2. CONFIRMATION OF MINUTES**

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The minutes of the Open Portion of the City Infrastructure Committee meeting held on [Wednesday, 11 December 2019](#), are submitted for confirming as an accurate record.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

**Recommendation**

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

**4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

Members of the Committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with.



## **5. TRANSFER OF AGENDA ITEMS**

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Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

## **6. REPORTS**

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### **6.1 Single-Use Plastics By-Law No 1 of 2020 Submissions and Amendments File Ref: F19/155356; 16/243-001**

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Report of the Manager Environmental Health and the Director City  
Planning of 21 February 2020 and attachments.

Delegation: Council

**REPORT TITLE: SINGLE-USE PLASTICS BY-LAW NO 1 OF 2020  
SUBMISSIONS AND AMENDMENTS****REPORT PROVIDED BY:** Manager Environmental Health  
Director City Planning**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to provide to the Council for consideration all submissions made to it pursuant to section 159(1) of the *Local Government Act 1993* ('the Act') in relation to the proposed Single-use Plastics By-law No. 1 of 2020 ('the by-law').
- 1.2. As a result of the submissions some amendments are proposed to the by-law as shown in track changes as **Attachment G**. The finally proposed by-law including the amendments is provided as **Attachment H**.
- 1.3. The community benefit of the by-law is to allow Council to regulate an area of activity not currently covered by legislation. This by-law addresses community expectation in an important area of waste avoidance, and is designed to minimise the littering of harmful plastic products by restricting their availability.

**2. Report Summary**

- 2.1. At its meeting of 4 March 2019 the Council resolved its intention to make the by-law and delegated the authority to the General Manager to prepare a Regulatory Impact Statement to submit to the Director of Local Government.
- 2.2. The by-law was advertised pursuant to s.157 of the Act in The Mercury newspaper on 31 October and 2 November 2019. Submissions were open via the Your Say consultation portal until 29 November 2019.
- 2.3. Twenty (20) submissions were received via Your Say, and five (5) submissions were received separately to [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)
- 2.4. Minor amendments have been proposed to the by-law as a result of the review of the submissions completed by Councils project team. The amendments address concerns raised with scope and definitions, and take into account the requests for greater future cross-jurisdictional consistency.
- 2.5. The amendments do not substantially change the purpose or effect of the by-law. The amendments made to the by-law must be endorsed by an absolute majority of the Council pursuant to s160(a) of the Act.

### 3. **Recommendation**

***That:***

- 1. The Council notes the twenty-five submissions made to it in relation to the Single-use Plastics By-law pursuant to s.159 of the Local Government Act 1993.***
- 2. The Council resolves by absolute majority to amend the Single-use Plastics By-law as shown in Attachment G to this report.***
- 3. The General Manager be authorised to arrange the necessary actions to enact the Single-use Plastics By-law No.1 of 2020.***

### 4. **Background**

- 4.1. At its meeting of 4 March 2019 the Council resolved its intention to make the by-law and delegated the authority to the General Manager to prepare a Regulatory Impact Statement to submit to the Director of Local Government for a certificate to advertise the by-law and, upon receipt of that certificate, to formally advertise the by-law.
- 4.2. The by-law and revised Regulatory Impact Statement were submitted to the Director of Local Government on 15 October 2019. Certification was provided pursuant to s.156A (6) of the Act on 17 October 2019.
- 4.3. The by-law was advertised pursuant to s.157 of the Act in The Mercury newspaper on 31 October and 2 November 2019. Submissions were originally open via the Your Say consultation portal until Friday 22 November however the submission period was extended to 29 November to facilitate submissions from a number of stakeholders.
- 4.4. It is not necessary for the Council to further consider the revised Regulatory Impact Statement as its purpose has been served in being presented through the advertising and submissions process.
- 4.5. The submissions fall largely into two categories, those with comments which relate specifically to the by-law construction, definitions and function, and which have contributed to the proposed amendments, and those making comments related to strategy, policy, timing, ideology and interpretation which can and have been responded to, but which do not impact on the by-law itself.
- 4.6. Twenty (20) submissions were received via Your Say, and five (5) submissions were received separately to [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)

- 4.7. Of the 20 Your Say submissions received, all were broadly supportive of the by-law with some offering detailed commentary on perceived improvements. A number of submitters suggested that the provision of infrastructure such as additional organics bins and a dedicated composting facility would close the circle on the initiative.
- 4.8. A number of submitters asked that businesses be supported through the change process. Two submissions were received from currently operating businesses and both were supportive of the by-law indicating they had already minimised or eliminated their use of single-use plastics with little to no negative business impact. The submissions are provided as **Attachment A**.
- 4.9. The 5 submissions received directly were submitted by the Australian Food and Grocery Council, the Australian Retailers Association, the Tasmanian Conservation Trust, Restaurant and Catering Australia and the National Retail Association.
- 4.10. Themes arising from the above submissions include; a perceived lack of consultation by Council, that Council is moving too quickly and is out of step with the body of work being done strategically involving a wide range of national stakeholders; a preference for a nationally consistent approach to the issue or alignment with the State governments waste plan and timeframes; and that unintended consequences could arise with the introduction of a stand-alone by-law given the complex nature of the food and packaging product supply chain.
- 4.11. Consultation over the last 18 months has included the following;
  - 4.11.1. An online community survey advertising the draft by-law and draft regulatory impact statement which generated the biggest response to an online Council survey received to date;
  - 4.11.2. An initial face-to-face food business survey;
  - 4.11.3. Engagement with the local government sector individually and through collaboration with the Local Government Association of Tasmania resulting in a unanimous motion to lobby the state government to consider adopting the issue statewide;
  - 4.11.4. Individual lobbying of the State government to consider taking on the issue at a State level;
  - 4.11.5. Meetings and discussions with many individual businesses and multinational companies;

- 4.11.6. Attendance at national waste and food packaging forums;
  - 4.11.7. Collaboration with the Tasmanian Food Retailer Waste Champions group;
  - 4.11.8. A second direct business survey issued to all food businesses retailing food in the municipality;
  - 4.11.9. Independent economic modelling completed specific to the regulatory impact statement; and
  - 4.11.10. The formal by-law and regulatory impact statement advertising and public submissions process in late 2019.
- 4.12. It is acknowledged that there is work going on nationally to reduce and eliminate single-use plastics from the supply chain, and there are future national packaging targets being set. In the absence of control over future national consistency, or the targets being determined, and in light of the determination of the Council and the community to do something meaningful, this by-law can have a positive impact. This by-law will place Hobart businesses in a unique and advantageous position as early adopters should future state or commonwealth legislation be enacted.
- 4.13. The Australian Food and Grocery Council submission is provided as **Attachment F**. The main concerns are for national consistency, environmental sustainability of substitute products, that food waste not be increased and food safety not be compromised, and that a 24 month rather than 12 month implementation phase be considered.
- 4.14. The Australian Retailers Association submission is provided as **Attachment D**. The main concerns were with the consultation process, the wholesaler to retailer transaction, and also that a much longer lead in time should be provided.
- 4.15. The Tasmanian Conservation Trust submission is provided as **Attachment E**. The submission makes general observations about the complexities of the whole of system approach, the difficulties of separating goods and of handling compostable products as part of a sustainable cyclical system.
- 4.16. The Restaurant and Catering Australia submission is provided as **Attachment B**. The main request was to seek a pause in the process so members could be surveyed.

- 4.17. The National Retail Association submission is provided as **Attachment C**. The main concerns were with some definitions and the perceived scope of the by-law, a strong desire for national alignment with the Australian Packaging Covenant Organisation (APCO) targets, and challenges to the costings and economic modelling within the regulatory impact statement.

## 5. Proposal and Implementation

- 5.1. Minor amendments have been proposed to the by-law as a result of the review of the submissions completed by Councils project team comprised of the Manager Legal and Governance, Manager Environmental Health, Cleansing and Solid Waste Policy Coordinator, Waste Education Officer and Simmons Wolfhagen's Managing Associate. The amendments are shown in track changes as **Attachment G** to this report. The amendments address concerns with scope and definitions, and take into account greater future cross-jurisdictional consistency.
- 5.2. The definition of 'premises' is amended to be consistent with the definition from the *Food Act 2003*. This clarifies that the by-law applies to both fixed and mobile food businesses.
- 5.3. The definition of 'plastic' is simplified and amended to be consistent and to clarify that the by-law does not apply to soft plastics such as cling wrap.
- 5.4. The definition of 'soft plastic' is inserted to further clarify types of plastic to which the by-law does not apply. While soft plastics do contribute to the litter stream, it is acknowledged that many soft plastics are of significant importance in relation to food safety and food preservation and hence are not subject to this by-law.
- 5.5. The definition of 'single-use' is amended to be consistent with the definition proposed in the *Single-use and Other Plastic Products (Waste Avoidance) Bill 2019* recently drafted by the South Australian government.
- 5.6. The new clause 6 is inserted to clarify that the by-law applies to retail sales and does not apply to 'wholesaler to retailer' transactions.
- 5.7. The new clause 8 is inserted to clarify that all food packaging sold from mobile structures is considered to be 'taken away' from the premises and therefore is applicable under the by-law.
- 5.8. The inclusion of the new 'Part 4 – Permits' is to cater for circumstances in which Council may wish to allow single use plastics to be used by retailers. The ability to grant permits for certain purposes is replicated in Councils other by-laws, and will provide flexibility to manage the transition of problematic products within the by-law.

- 5.9. A permit process is a transparent and fair method to formalise what may otherwise have become 'individual agreements' as businesses work through processes to replace problematic products. This is a rigorous method creating transparency and fairness within the by-law itself.
- 5.10. The amendments do not substantially change the purpose or effect of the by-law. The amendments made to the by-law must be endorsed by an absolute majority of the Council pursuant to s160(a) of the Act.
- 5.11. To be in compliance with the Act, the by-law must be made under Council's common seal, be certified by a legal practitioner that its provisions are in accordance with the law, and certified by the General Manager that it is made in accordance with the Act.
- 5.12. The by-law must be published in the *Tasmanian Government Gazette* within 21 days of council's formal resolution to make the by-law, and will commence on its date of publication.
- 5.13. Unless repealed earlier, a by-law made under the Local Government Act will expire 10 years from the date it was enacted regardless of whether or not it is amended during those years.
- 5.14. The by-law will be implemented in a manner which provides for a phase-out of products in order to maximise stakeholder engagement and understanding, and support businesses to achieve compliance.
  - 5.14.1. Initial engagement will be through existing media and social media channels.
  - 5.14.2. The established food retailer waste champions group will be used as a reference point for other businesses to talk directly with.
  - 5.14.3. An information pack will be uploaded to Council's website and be made available for public use. The pack includes a copy of the by-law, a fact sheet, answers to frequently asked questions, a detailed list of alternative products currently available in Hobart, and a calculator for businesses to quantify impacts of the by-law.
  - 5.14.4. Council staff will provide ongoing support online, on the phone and in person for affected businesses.
  - 5.14.5. Known member organisations such as APCO will be provided with links to be able to provide information directly to their members.
  - 5.14.6. It is proposed that a 12 month implementation phase remains an appropriate time for the transition period with enforcement to commence in early 2021.



- 5.15. In the event that state or commonwealth legislation of this nature is enacted within the life of the by-law, the by-law may be reviewed.

## **6. Strategic Planning and Policy Considerations**

- 6.1. The Single-use Plastics By-law No 1 of 2020 addresses several strategic outcomes contained within Pillar 6 – Natural Environment of the City's Capital City Strategic Plan 2019-2029, including;
- 6.1.1. (6.3.1) Implement significant waste reduction actions and programs to ensure the City's objective of zero waste to landfill by 2030 is achieved,
  - 6.1.2. (6.1.3) Protect and enhance Hobart habitats and ecosystems, in partnership with stakeholders, including wildlife corridors and waterways, and
  - 6.1.3. (6.3.5) Improve water quality in Hobart's waterways and identify water catchment activities that are contributing to stormwater pollution.
- 6.2. The City's Climate Change Strategy is relevant as energy and emissions inventories consider local use as well as the embodied energy of consumable materials. Emissions associated with the production of food and other goods including packaging account for more than four times the emissions of personal energy use.
- 6.3. The City shows a strong commitment to excellence in governance through the timely and transparent review of all of its by-laws for relevance and consistency.

## **7. Financial Implications**

- 7.1. Funding Source and Impact on Current Year Operating Result
- 7.1.1. Budgetary allocations were spent in the current year to enable completion of the revised regulatory impact statement, and develop and finalise the information pack.
- 7.2. Impact on Future Years' Financial Result
- 7.2.1. It is anticipated that an additional budgetary allocation will be required to assist in some elements of the implementation plan. This will be considered in the 2020-21 budget preparation and approval process.

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

- 8.1. The by-law has been certified by external legal consultants as complying with the provisions of the *Local Government Act 1993*.

- 8.2. The main risk associated with making this by-law is that of legal challenge from an aggrieved party to the additional monetary costs associated with replacement products. Given the amendment to the by-law to include a permit system, and the lengthy phase in period prior to enforcement of the by-law, such a challenge can be defended.

## **9. Environmental Considerations**

- 9.1. The fundamental premise of the by-law is to reduce the volume of non-compostable plastic litter in the environment thereby reducing the impacts this waste has had and continues to have on the environment.

## **10. Social and Customer Considerations**

- 10.1. One identified social impact of the by-law was in relation to the banning of take away single-use plastic straws. Work has been done with disability advocacy groups and information included in the food business information pack to clarify that it will not be an offence to provide a plastic straw to a person in need if requested.
- 10.2. The public momentum demonstrated worldwide for the reduction of single-use plastic items has translated into strong support from the Hobart community for the introduction of the by-law. The community accepts there may be increases in cost for certain products for periods of time until markets catch up and replacement products become the norm. The community is also keen to see Council support businesses as much as possible in the transition.
- 10.3. Council officers continue to be contacted by businesses already transitioning to plastic-free products. The impact on businesses as explained will be managed with the provision of information and one-to-one assistance as required, as well as a 12 month period of time prior to an expectation of compliance.
- 10.4. Both local and state government departments from within and outside of Tasmania also continue to seek advice on the project and development of this by-law as they begin to draft single-use plastic legislation. Already in 2020, Council officers have provided detailed advice and information to the West Australian Department of Water and Environmental Regulation, and the New South Wales Circular Economy and Resource Management Unit of the Environment Protection Authority.

## **11. Marketing and Media**

- 11.1. The implementation phase will involve a range of complimentary activities designed to maximise public and business engagement and understanding of the new laws and how to achieve compliance.

**12. Community and Stakeholder Engagement**

- 12.1. As described the community and stakeholders will be provided with information and advice for a 12 month period following the making of the by-law, continuing on the consultation and education processes of the last 18 months.

**13. Delegation**

- 13.1. The Council has delegation for this matter.

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



Felicity Edwards  
**MANAGER ENVIRONMENTAL  
HEALTH**



Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 21 February 2020  
File Reference: F19/155356; 16/243-001

Attachment A:	Public Submissions via Your Say Hobart - Plastics By-law ↴
Attachment B:	Restaurant and Catering Industry Association - Submission ↴
Attachment C:	National Retail Association - Submission ↴
Attachment D:	Australian Retailers Association - Submission ↴
Attachment E:	Tasmanian Conservation Trust - Submission ↴
Attachment F:	Australian Food and Grocery Council - Submission ↴
Attachment G:	Single-use Plastics By-law 1 of 2020 - Track Changes ↴
Attachment H:	Single-use Plastics By-law 1 of 2020 - Clean Copy ↴

Survey Responses  
11 September 2015 - 15 December 2019

Public Submissions regarding the Single-use Plastics Draft By-law Review

**Your Say Hobart**  
Project: Single-Use Plastics Draft By-Law

engagementhq  
by Bang the Table

VISITORS					
128					
CONTRIBUTORS			RESPONSES		
20			20		
2	0	18	2	0	18
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



**Respondent No:** 1  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Oct 30, 2019 11:29:55 am  
**Last Seen:** Oct 30, 2019 11:29:55 am  
**IP Address:** n/a

Q1. First Name&nbsp;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

KINGSTON, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

Hi, as a [REDACTED] in hobart city, i wonder how this will effect us all as florists? I have reduced my plastic use to a bare minimum and want to know if fines will be applicable to us florists for containers and poly wrapping (often essential for customers).

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp;

[REDACTED]



**Respondent No:** 2  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Oct 31, 2019 01:48:15 am  
**Last Seen:** Oct 31, 2019 01:48:15 am  
**IP Address:** n/a

Q1. First Name&nbsp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]


Q4. Which suburb do you live in?

HOWRAH, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I am in full support of introduction of the Single use Plastic by law, I think it is an important and progressive step in the right direction. It is however important that the flow on effects be considered. Biodegradability is not entirely a success if said waste continues to go to landfill as the breakdown process is very different and less positive than in an industrial composting facility. As waste collection currently stands, the only option would be to send the used biodegradable to landfill (eg public waste bins consist only of general and recycling options) thereby adding a certain level of redundancy to the whole project. Provision of additional public waste bins that allow separation of biodegradable materials for composting would close and complete the system.

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp; ; not answered

	Respondent No: 3	Responded At: Oct 31, 2019 15:28:23 pm
	Login: [REDACTED]	Last Seen: Oct 31, 2019 04:23:44 am
	Email: [REDACTED]	IP Address: [REDACTED]

Q1. First Name&nbsp;nbsp;;	[REDACTED]
Q2. Surname	[REDACTED]
Q3. Please provide your street number and name	[REDACTED]
Q4. Which suburb do you live in?	MARGATE, TAS
Q5. Please provide your submission regarding the Single Use Plastic By-law	
I support the proposed Single Use Plastic By-law.	
Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp;nbsp;;	[REDACTED]



Respondent No: 4

Login: Anonymous

Email: n/a

Responded At: Oct 31, 2019 23:58:04 pm

Last Seen: Oct 31, 2019 23:58:04 pm

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

FERN TREE, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I've no idea what "state the grounds of the submission" means. I'm a resident and ratepayer of Hobart with an interest in commenting on the practicality of the Single-use Plastics Draft By-law. I commend the Council for taking the initiative in drafting the by-law and support the introduction of it as drafted. However, given the apparent complexity and potential ambiguity of several definitions, including "Single-use" and "Plastic", it should be incumbent on the Council to undertake a review of the by-law after it has been in operation for 12 months. The Council should work with food service businesses during the initial 12 month period to identify any compliance issues, with a view to amending the definitions in the by-law to address any ambiguity and facilitate compliance. Similarly, customers of food service businesses should be invited to identify any practical concerns with the operation of the by-law and how it might be improved. If the by-law is seen to work effectively and efficiently it could provide a model for other jurisdictions. If it doesn't work effectively or efficiently and inconveniences businesses and customers then it could discourage other jurisdictions from following a similar path and encourage opposition to such moves. Much depends on the execution of the ban so it will be important to address any teething problems early on to maintain community support for the initiative.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

[REDACTED]





**Respondent No:** 5  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Nov 05, 2019 19:35:58 pm  
**Last Seen:** Nov 05, 2019 19:35:58 pm  
**IP Address:** n/a

Q1. First Name&nbsp;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

SOUTH HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I fully support a ban on single use plastics. I would particularly like to see council supporting businesses to innovate in the area of reusable packaging. Logistics of reusable containers are tricky for high turnover restaurants but options can be found. Compostable packaging is a good last resort but council will need to install organics bins around the city (like the three bin system at the taste and at the airport).

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp;

[REDACTED]



**Respondent No:** 6  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Nov 05, 2019 20:33:14 pm  
**Last Seen:** Nov 05, 2019 20:33:14 pm  
**IP Address:** n/a

Q1. First Name&nbsp;

Q2. Surname

Q3. Please provide your street number and name

Q4. Which suburb do you live in?

GEILSTON BAY, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

Hi I am born and bred a West Hobart boy and spend a lot of time in the City. Yes I totally agree with banning single use plastics, First sensible thing the council has done for ages. We do not need plastic straws or food containers or plastic bags or stupid bridges over the Brooker Highway or any other wastage of public monies. Rosegarden & Remembrance Bridges are a disgrace to the HCC. Just ban the contaminating rubbish and be done with it.

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp;

not answered



**Respondent No:** 7  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Nov 05, 2019 21:59:20 pm  
**Last Seen:** Nov 05, 2019 21:59:20 pm  
**IP Address:** n/a

Q1. First Name&nbsp;nbsp;	<div></div>
Q2. Surname	<div></div>
Q3. Please provide your street number and name	<div></div>
Q4. Which suburb do you live in?	GLEBE, TAS
Q5. Please provide your submission regarding the Single Use Plastic By-law	
I think it is an excellent idea. As soon as they are banned another excellent alternative will emerge.	
Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp;nbsp;	not answered



**Respondent No:** 8  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Nov 05, 2019 22:57:47 pm  
**Last Seen:** Nov 05, 2019 22:57:47 pm  
**IP Address:** n/a

Q1. First Name&nbsp; ;

■■■

Q2. Surname

■■■■■

Q3. Please provide your street number and name

■■■■■■■■■■

Q4. Which suburb do you live in?

TAROONA, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

The term "single use plastic containers" is misleading in that most of the take-away food containers are in fact reusable. If they are washed up in the normal house-hold way and dried, then they are ready to go again for school and work lunches, or for use at home. They are readily sold to the public through a number of outlets. They come in bulk quantities. The impact statement talks about the practice of traveling to a neighbouring municipality to get food because it is cheaper and discounting that method due to the cost of transport. However, what hasn't been considered is the situation where someone is already mobile in another municipality and is traveling to/through Hobart and who would normally buy food in Hobart, but who might now consider buying in the other council areas due to the cost factor. The used containers might still end up in Hobart anyway. Another factor is that of appeal to the customer. Plastic is smooth and clean to the touch. Some alternatives are not so. Plastic forks and spoons are nicer to have in the mouth than the wooden ones and some others. Plastic containers are usually transparent, making it easy to identify the contents, especially when buying several different lines for a group. Translucent or opaque are not good for this and customers may resent the lack of easy identification. Durability also comes into it. Accidents do happen while goods are in transit, even while in the care of the end consumer. The plastic containers again fare better than substitutes. There may be more of a hunt for plastic-container-food-sellers than the Council thinks. Most of the substitute containers are even less re-usable than the plastic ones and the amount of waste product may actually rise. The level of that waste then going to a composting facility is unknown, due to several factors: 1. In the public space there may not be a re-cycling receptacle available. 2. The organisers of a function where food is bought in by those attending may not provide receptacles. 3 It is not always obvious as to what is recyclable/compostable. 4. Sometimes plastic is the only way to go - softdrinks, mid size fruit drinks. 5. It is not always easy to dispose of the substitute containers, due to their size/shape. There might need to be more/bigger bins available. So the plastics will still be around. A far bigger problem is the packaging of hardware, toys, small electronics and similar items. It all comes in clear plastic that cannot be re-used, is often verging on hard shell, can cause injury once cut, always goes to landfill and often holds wire staples that add to the safety problem.

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp; ;

not answered



Respondent No: 9

Login: Anonymous

Email: n/a

Responded At: Nov 06, 2019 06:36:13 am

Last Seen: Nov 06, 2019 06:36:13 am

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

WARRANE, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

We have operated at the taste of Tasmania with tempura mushrooms for 30 years about 20 years ago compostables were made mandatory, we now do 15 festivals state wide most require compostables but we use them for all of our festivals. We opened maning reef cafe 10 years ago and always have used compostables . It is marginally more expensive but not excessively,

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp; ;

not answered



Respondent No: 10

Login: [REDACTED]

Email: [REDACTED]  
[REDACTED]

Responded At: Nov 06, 2019 10:01:09 am

Last Seen: Nov 04, 2019 05:36:54 am

IP Address: [REDACTED]

Q1. First Name&amp;nbsp;[REDACTED]

Q2. Surname [REDACTED]

Q3. Please provide your street number and name [REDACTED]

Q4. Which suburb do you live in?

SOUTH HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

The Council need to help businesses and the public change their habits with single use plastic. We also need more than 2 supermarkets as a place to recycle our soft plastic. The soft plastic bins at Coles and Woolies are usually overflowing. I have lost faith now and assume that all this soft plastic waste is now going to landfill. There needs to be change at the top ie council and government.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp;



Respondent No: 11

Login: Anonymous

Email: n/a

Responded At: Nov 06, 2019 10:09:12 am

Last Seen: Nov 06, 2019 10:09:12 am

IP Address: n/a

Q1. First Name&amp;nbsp;■

Q2. Surname ■

Q3. Please provide your street number and name ■

Q4. Which suburb do you live in?

MOUNT NELSON, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I am a strong supporter of doing our part to reduce waste and our impact on this beautiful city and it's surrounds. Reducing the use of small single use plastics will remove the waste that our businesses generate. As a local resident, as an owner representing ■ Cafe in Salamanca and as a commercial property owner invested in the cities future, I fully support the move away from single use plastics and this proposed Single Use Plastic By-law.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp;

■



Respondent No: 12

Login: Anonymous

Email: n/a

Responded At: Nov 08, 2019 14:17:36 pm

Last Seen: Nov 08, 2019 14:17:36 pm

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

FERN TREE, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I strongly support the Single use Plastics By Law because we face a climate emergency and we need to be pushed to modify every aspect of our living. We cannot continue to allow young adults and children to think that single use plastics or any single use item is ok. I'm sure the projected expenses to retailers will be overcome fairly soon when consumers learn to bring their own containers to the outlet.

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp; ;

not answered





Respondent No: 13

Login: Anonymous

Email: n/a

Responded At: Nov 12, 2019 10:14:01 am

Last Seen: Nov 12, 2019 10:14:01 am

IP Address: n/a

Q1. First Name&amp;nbsp;nbsp;■

Q2. Surname ■

Q3. Please provide your street number and name ■

Q4. Which suburb do you live in?

WEST HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

Some people have memory loss issues or do not recall to bring plastic bags or containers to shops - you must provide an alternative.

Q6. If you would like to receive an update at the end of this community engagement please register or provide your email below&nbsp;■



Respondent No: 14

Login: Anonymous

Email: n/a

Responded At: Nov 17, 2019 05:25:53 am

Last Seen: Nov 17, 2019 05:25:53 am

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

SOUTH HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I support the Single Use plastic By-law as it . addresses both commercial and residential strategies to reach the following aims: • To minimise the exposure of the community and the environment to the risks and harm associated with single-use plastic in takeaway food packaging. • To reduce the overall quantity of plastic litter arising from takeaway food retailing, and its long-term impacts. • To provide a stimulus for the development and uptake of innovative and sustainable takeaway food packaging solutions. • To align the practices of takeaway food retailers with growing community concern regarding the risks of single-use plastic in everyday life. The Single Use pLastic By-Law articulates practical solutions to ip in the field of waste management and recycling.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

[REDACTED]



Respondent No: 15

Login: Anonymous

Email: n/a

Responded At: Nov 19, 2019 10:33:16 am

Last Seen: Nov 19, 2019 10:33:16 am

IP Address: n/a

Q1. First Name&amp;nbsp;nbsp;■

Q2. Surname ■

Q3. Please provide your street number and name ■

Q4. Which suburb do you live in?

SOUTH HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I strongly support the ban on single use plastics. It is unconscionable that single use plastics that have such a huge impact on the environment can be permitted, particularly when there are so many viable alternatives.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp;■



Respondent No: 16

Login: Anonymous

Email: n/a

Responded At: Nov 19, 2019 16:20:47 pm

Last Seen: Nov 19, 2019 16:20:47 pm

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

SANDY BAY, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

1) Please include the issue of single use plastic bags by the retailer to the customer as part of this by-law. Takeaway food can easily be carried in paper bags by the customer and allowable issue of single use plastic bags perpetuates the problem. 2) compliance for this by-law will add extra costs to the council - these can be minimised by recruiting the community to support compliance. Please allow a provision for customers to report the issue of single use plastic containers. This is specifically relevant to street vans and markets. The report should include, time and date of purchase and photographic evidence (let's use the devices we all carry for compliance purposes) of the food provided at the site of the retailer. Part of the license to sell take-way food could include the requirement to display a notice that advises customers where to contact in the event that single use plastics are used.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

[REDACTED]



Respondent No: 17

Login: Anonymous

Email: n/a

Responded At: Nov 19, 2019 16:33:29 pm

Last Seen: Nov 19, 2019 16:33:29 pm

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

CLIFTON BEACH, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I firmly believe that points 5 and 6 under Part 2-Application providing an exception for food consumed at the retailers premises should be removed. The requirement to switch to compostable materials should apply to dining in as well as take away

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

not answered



Respondent No: 18

Login: Anonymous

Email: n/a

Responded At: Nov 20, 2019 10:50:28 am

Last Seen: Nov 20, 2019 10:50:28 am

IP Address: n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?

DYNMYRNE, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

Single use plastic laws should apply to in-house plastic use as well as take-aways.

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

[REDACTED]

**Respondent No:** 19**Login:** Anonymous**Email:** n/a**Responded At:** Nov 23, 2019 12:58:59 pm**Last Seen:** Nov 23, 2019 12:58:59 pm**IP Address:** n/a

Q1. First Name&amp;nbsp; ;

[REDACTED]

Q2. Surname

[REDACTED]

Q3. Please provide your street number and name

[REDACTED]

Q4. Which suburb do you live in?


WEST HOBART, TAS

Q5. Please provide your submission regarding the Single Use Plastic By-law

I am a Registered Nurse working in Intensive Care at the RHH. I'm also in a committee called Green Health Tasmania which aims to make our hospital more environmentally sustainable. We are a group of volunteer staff members whom report to the THS Executive Committee. Firstly, I would like to thank you for your hard work and commitment to our environment. As a Hobart resident I really appreciated this. I have been in email contact with Cr Bill Harvey about the Plastics By-law. He stated that members of the HCC team would be happy to provide guidance on how this will affect the RHH. I have contacted our Manager of Food and Retail Services, Ian Norris to see if his team would like to speak with HCC and seek their guidance about how the plastic by-law will affect us. Looking at the by-law, I'm not sure how much it will affect our Cambridge Food Service which provides patient meals. It may only affect some take away items from the RHH cafeteria. Ian Norris suggested that we ask the RHH legal team to examine the by-law, and its ramifications. I suggested that we start by getting a HCC representative to brief his team and others concerned from the RHH. I haven't heard back from him. Breakfast meals at the RHH come in a plastic. Soups at lunch and dinner also do. I was hoping that his team would be interested in switching to Biopaks or back to crockery. This teamed with food composting bins at RHH and Cambridge sites would be environmentally beneficial. We still have crockery and metal cutlery for lunch and dinner. I think the patients really appreciate this. Whether biodegradable is economically beneficial for the RHH, I'm not sure. Would HCC be able to provide an individual CBA for the RHH? Also at the RHH there may be a benefit in switching to food composting versus clinical waste. Veolia would be able to provide this. I noticed that HCC Regulatory impact statement states that it is estimated to cost most businesses \$700 per annum to switch to biodegradable packaging. However this ranged largely depending on the business' types of products. In these instances, the food outlets can charge the consumer more. It's difficult for the RHH to charge consumers more when they pay through tax and our government allocates our budget. Could the RHH get a local government grant to adopt biodegradable? What I would like to see is : The by-law applies to plastics in which food is served on premises. This way the RHH will have to adopt either biodegradable or crockery for both their Cambridge Food Services and Cafeterias. The RHH to be provided with a CBA and granted some financial assistance if this is to cost more. Thank you for your time. I look forward to hearing the outcomes. Regards, [REDACTED]

Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below&nbsp; ;

[REDACTED]



**Respondent No:** 20

**Login:** Anonymous

**Email:** n/a

**Responded At:** Nov 24, 2019 13:07:06 pm

**Last Seen:** Nov 24, 2019 13:07:06 pm

**IP Address:** n/a

Q1. First Name&nbsp;nbsp;	████
Q2. Surname	██████
Q3. Please provide your street number and name	██████████
Q4. Which suburb do you live in?	SYDNEY, NSW



**Q5. Please provide your submission regarding the Single Use Plastic By-law**

The Australian Packaging Covenant Organisation (APCO) welcomes the opportunity to provide a submission on the City of Hobart's proposed Single-Use Plastics By-law. As noted in the Regulatory Impact Statement (RIS), APCO is responsible for delivery of the 2025 National Packaging Targets, including elimination problematic and unnecessary single use plastic packaging through design, innovation or introduction of alternatives. APCO has welcomed City of Hobart's participation in two national workshops convened by APCO in 2019, on sustainable food packaging guidelines and single use plastics, and encourages the City of Hobart to remain engaged in the national dialogue to share its experiences and approach nationally and to learn from other jurisdictions. Eliminating problematic and unnecessary single use plastic packaging by 2025 will require concerted effort by governments, industry and the community, and for that reason APCO welcomes the City of Hobart's intent to progress action on single use plastics. The proposed by-law, like the proposed regulatory action in states including South Australia, represents a step towards the elimination of problematic and unnecessary single use plastics; it is important that such approaches are supported through business and public education, remain adaptable to avoid unintended consequences, and that broader action is taken to increase material recycling and composting and decrease litter and landfill. APCO recommends that the City of Hobart gives due consideration to the following matters: 1. National compatibility APCO respects the role of state and local governments in setting policy and legislation in their own jurisdictions. It is important that in the absence of a national approach to regulation of single use plastics, jurisdictions including the City of Hobart aim to ensure that their approaches are nationally compatible. Key considerations in avoiding nationally inconsistent approaches include: - Many suppliers and food businesses operating within the City of Hobart will operate within national supply chains. Differences in regulatory requirements for products and processes, for example in relation to acceptable dimensions of plastic packaging, could lead to more regionally segmented supply chains, resulting in increased local cost and national inefficiency. - Consumer education may be more effective and easier to deliver, where the messages are consistent between jurisdictions. 2. Standards for compostable packaging APCO notes that certified compostable packaging is excluded from the by-law (i.e. it is not banned). The extension of this exclusion to non-certified packaging that otherwise meets the by-law's definition of compostable, would be considered problematic. It is easy to claim that packaging is compostable, but in the absence of certification, proving that it is or is not compostable may require testing equivalent to that required for certification. It is unlikely that the City of Hobart will be able to conduct the required testing, raising the possibility that false claims of compostability will be difficult to police. While we understand that the cost of certification is high and that this may suppress the number of certified products on the market, we do not consider that this situation is best alleviated by effectively waiving the requirement for certification, which could disadvantage manufacturers and suppliers of certified products. 3. Ensuring facilities and processes are in place to support composting The environmental benefit of the by-law will be diminished if it results in more compostable packaging going to landfill. It will be important to establish collection and composting systems and infrastructure, and to provide public and business education programs and communication support to ensure their effective use. 4. Monitoring and review APCO recommends that the City of Hobart monitors the impact of the by-law, including with regard to its effectiveness in delivering the benefits outlined in the RIS (e.g. litter reduction), public acceptance of alternative products and processes, any unintended consequences, and the response of businesses (including positive adaptation and avoidance behaviour). APCO further recommends that the City of Hobart schedules an early review of the operation of the by-law and be willing to make changes if necessary.

---

**Q6. If you would like to receive an update at the end  
of this community engagement please register  
or provide your email below**

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Restaurant  
& Catering



25 November 2019

ATTN: Single-use Plastics Draft By-law Review  
By email: [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)

Dear Sir/Madam,

Restaurant & Catering Australia (R&CA) is the national industry association representing the interests of more than 47,000 restaurants, cafés and catering businesses across Australia. The café, restaurant and catering sector is vitally important to the national economy, generating over \$37 billion in retail turnover each year as well as employing 450,000 people. Over 92 per cent of businesses in the café, restaurant and catering sector are small businesses, employing 19 people or less.

R&CA delivers tangible outcomes to small businesses within the hospitality industry by influencing the policy decisions and regulations that impact the sector's operating environment. R&CA is committed to ensuring the industry is recognised as one of excellence, professionalism, profitability and sustainability. This includes advocating the broader social and economic contribution of the sector to industry and government stakeholders, as well as highlighting the value of the restaurant experience to the public.

R&CA appreciates the opportunity to provide a submission to the City of Hobart Single-use Plastics Draft By-law Review and Regulatory Impact Statement.

As the only national industry association acting on behalf of the café, restaurant and catering sector, including 800 individual businesses in Tasmania, R&CA supports the need to continue. As a key industry stakeholder, R&CA is keen to be actively involved in government consultations regarding proposals which aim to restrict the use of single-use plastic takeaway food packaging.

Restaurants, cafes and hospitality providers are a critical component of the retail and tourism offering in Tasmania. Restaurants complement the retail offering in shopping precincts, encouraging greater patronage and expenditure, while activating leisure destinations. Takeaway coffee, beverages and food at restaurants while shopping for pleasure are the two most popular activities for international and domestic visitors to Tasmania.

Food Industry Foresight Data states that Australians use and subsequently discard over 1 billion takeaway coffee cups every year. Plastic or single use waste in the restaurant, café and catering industry is an important issue and one that R&CA is actively working with state governments across Australia on addressing.



RESTAURANT & CATERING INDUSTRY ASSOCIATION

PO Box 121, SURRY HILLS NSW 2010 T: 1300 722 878 F: 1300 722 396 E: [info@restaurantcater.asn.au](mailto:info@restaurantcater.asn.au)  
HOSTPLUS [www.rca.asn.au](http://www.rca.asn.au) [www.savouraustralia.com.au](http://www.savouraustralia.com.au)

R&CA believes that measures aimed at reducing the use of single-use plastics should be lead and co-ordinated by state governments, not at a local government level to ensure consistency of approach across jurisdictions and reduce complexity for single site operators which from over 90% of the restaurant, café and catering sector.

R&CA has not yet been formally consulted by the City of Hobart as a peak industry organisation in relation to the City of Hobart's Draft By-Law Proposal. We would recommend that the City of Hobart pause the progression of this proposal to ensure we can properly survey our members whose businesses are located within the City of Hobart to gather their views on this proposal before proceeding.

We have also copied the Tasmanian State Minister for Local Government and the Minister for Small Business into this letter to express our concerns.

If you wish to discuss R&CA's views further, do not hesitate to contact Tom Green, Manager – Policy and Government at R&CA by email at [tom@R&CA.asn.au](mailto:tom@R&CA.asn.au).

We thank you again for the opportunity to make this submission.

Regards



**Wes Lambert CPA FGIA MAICD**

Chief Executive Officer

Restaurant and Catering Australia

Cc:

The Hon. Michael Ferguson MP, Minister for Small Business

The Hon. Mark Shelton MP, Minister for Local Government





**National  
Retail  
Association**

## SUBMISSIONS FROM THE NATIONAL RETAIL ASSOCIATION

**In response to:**

Single-use Plastics By-law  
(By-law and Regulatory Impact Statement)

**Submitted to:**

City of Hobart

November 2019

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**Enquiries:**

David Stout, Director of Policy

P: 0409 926 066

E: [d.stout@nra.net.au](mailto:d.stout@nra.net.au)



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## 1. INTRODUCTION

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The National Retail Association (NRA) welcomes the opportunity to make submissions to the City of Hobart regarding the 'Single-use Plastics By-law' and accompanying *Regulatory Impact Statement*.

The NRA acknowledges the impact of plastic on the environment, particularly when disposed of incorrectly as litter, and supports the aim of reducing the impact of litter on our natural environment. The NRA is convinced by research which indicates that plastic litter affects marine life through ingestion and entanglement, and contaminates waste treatment facilities.

While we support the need to address the impact of plastic on our environment, we submit that initiatives must be carefully-considered, trialed and assessed in order to create effective, viable and long-lasting improvements.

Though much research has been done on the impact of plastic litter when it enters our environment, the NRA submits that is little consensus on ideal solutions, that is: which alternatives should replace functional plastics; which solutions produce the best long-term environmental impact; which are practical and possible with current materials, technology and infrastructure; which are available and affordable in the Australian marketplace; and which has greater net public benefit.

It is important to note that plastic is used by consumers and businesses for many valid reasons, including: meeting critical requirements and standards designed to prevent contamination and risk to human health; meeting consumer demand for convenience and mobility; meeting demand for products to be affordable and equitable to the majority of the population; meeting demand for products to be fit for purpose and intact upon purchasing; and meeting increasing demand to reduce food waste by reducing spoilage and extending shelf life.

For many years retailers across Australia have been proactive in various environmental initiatives, making alternative bags available, promoting their use with subtle messaging, and providing in-store recycling. The NRA submits that retailers are concerned about the impact of plastic litter on the environment, are already taking steps to improve sustainability practices, have complied with regulatory interventions to date, and need time and support to continue innovating while meeting consumer demands.

The NRA support the positive intentions of initiatives to reduce plastic litter, but strongly oppose premature regulatory intervention, such as the proposed by-law, as this:

- jeopardises national consistency;
- contradicts and diverts focus from existing projects and plans at a national and state level;
- fails to recognise the lack of viable, safe alternatives for the broad range of items included;
- creates confusion with poor definitions and loopholes;
- creates competitive and customer disadvantages;
- incurs high and unreasonable costs on business and customers;
- lacks comprehensive education and support mechanisms for industry; and
- lacks comprehensive plans to educate the public.

We urge the City of Hobart to **reconsider the proposed by-law** and, instead, to collaborate with retailers, manufacturers, state government, and federal government on existing strategies which we believe will create more beneficial outcomes for business, the environment and the community.

1. We submit that support should be provided for actions underway, particularly the proposed Tasmanian Container Deposit Scheme and the National Voluntary Code of Practice for Sustainable Shopping Bags.
2. We submit that immediate action can be taken on 'medium impact' initiatives in which environmental impact is immediate, proven alternatives are widely available and affordable, and potential risk and impact on public safety is low. This includes action on: lightweight plastic shopping bags; staged phase-outs of cutlery, stirrers and straws (provided individually for immediate consumption); outdoor balloon release bans; and increased action on cigarette butt littering.



The NRA supports extending the existing regulatory ban on lightweight plastic bags in Tasmania to include biodegradable and compostable lightweight shopping bags in line with more recent bans in Queensland, Western Australia and Victoria. Current research convinces the NRA that bioplastic alternatives may create issues in the environment and that these do not address the behaviour change needed to reduce waste.

The NRA supports the phase-out of plastic cutlery, stirrers and straws if this is approached in a methodical way such as the "Plastic Free Places" trials underway in South Australia and Queensland. These trials involve providing resources, education and engagement to businesses in designated areas to phase-out items that have viable compostable alternatives. The program also includes engagement with supply chain packaging suppliers enabling coop and discount buying arrangements to ease the cost impact to consumers and businesses.

A key point is that businesses often do not have the time to seek optimal solutions and for those that try, there is much opportunity for them to get it wrong or to get the wrong advice. This voluntary but highly-tracked approach is yielding impressive results and offers a practical, positive alternative to premature legislative intervention.

3. We encourage the City of Hobart to reconsider premature regulations aimed at plastics which contain, touch or protect foodstuffs.

We consider these are 'high impact' and 'high risk' not only in terms of public health and safety, but in their impact on food waste, household budgets and modern lifestyles. These items, such as pre-packaged foodstuffs, sauce sachets, produce bags, coffee/beverage cups and takeaway food containers/tubs are used for a wide variety of purposes but are common in their need to meet high standards of food safety and also in their high consumer demand.

For high complexity/high risk items, we recommend a considered and evidence-based approach and submit that approaches such as staged phase-out models and extensive research projects which are being undertaken in other jurisdictions present more practical, evidence-based solutions. We also submit that government research and investment into infrastructure to sustain a circular economy are also needed.

The following submission provides: an overview of our expertise and retailer actions to date; brief analysis and commentary on the draft by-law; detailed submissions regarding key impacts of the by-law; and our recommendations for actions on a wide range of plastic items.



## 2. ABOUT THE NATIONAL RETAIL ASSOCIATION

Currently, the Australian retail sector accounts for 4.1 percent of GDP and 10.7 percent of employment, which makes retail the second largest employer in Australia and largest employer of young people. In Hobart, cafes and restaurants represent the second largest employer.

The National Retail Association (NRA) is Australia's largest and most representative retail industry organisation. We are a not-for-profit organisation which represents over 28,000 outlets from every category of retail including fashion, groceries, department stores, household goods, hardware, fast food, cafes and services.

We exist to help retail and service sector businesses comply with an ever changing and growing regulatory environment. Our services are delivered by highly trained and well-qualified in-house experts with industry specific knowledge and experience. We provide professional services and critical information across the retail industry, including the majority of national retail chains and thousands of small businesses, independent retailers, franchisees and other service sector employers.

### Specialist expertise

The NRA Policy Team helps retail businesses succeed and grow within an ever-changing regulatory environment. We work with a wide range of industry stakeholders – retailers, government, law enforcement, regulatory bodies, shopping centres, community groups, supporting associations and many more – to develop industry-wide policy platforms or positions on issues affecting the Australian retail sector.

We work proactively at international, federal, state and local government levels to ensure the interests and needs of the Australian retail and services sectors are protected and promoted. Rather than running from inevitable regulatory change, we provide a bridge between retailers and government – facilitating the exchange of ideas and information, which ultimately leads to more informed, commercially-aware outcomes for all parties.

### State-wide bag bans

The NRA is directly engaged by the Queensland, Western Australian and Victorian state governments to manage the engagement and education of retailers in regard to each state's bag ban legislation. To facilitate this, the NRA developed and implemented a Retailer Transition Program tailored to each state, including:

- developing dedicated online portals of information for retailers;
- developing custom resources for retailers to display in their stores to help inform staff and customers;
- delivering hundreds of workshops and tours in shopping precincts resulting in direct engagement with over 30,000 retail businesses thus far;
- delivering a dedicated Bag Ban Hotline for retailer queries; and
- implementing social media and traditional media strategies to increase awareness and education.

We were also engaged by both Queensland and Western Australian governments to develop and deploy state-wide customer education and awareness campaigns supporting the introduction of each state's bag ban. These two campaigns reached over five million Australians and contributed to significant consumer behaviour change.

The National Retail Association continues to deliver complaint handling and auditing programs in all three states to ensure retailers comply with the relevant legislation.

### National Retail Association Sustainability Committee

The National Retail Association Sustainability Committee was launched in early 2019, consists of experts from across the retail industry, government and associated agencies, and aims to continue the positive momentum of sustainability initiatives in retail. We consider the impact of retail activities upon sustainability, the community and environment and investigate the effectiveness of policy and industry mechanisms to create sustainable change. We believe that all issues have individual causes and effects, with different commercially viable and environmentally sustainable outcomes. For this reason, it is vital to collaborate with all stakeholders to create long-lasting outcomes.



### 3. RETAILER ACTIONS TO DATE

For many years retailers across Australia have been proactive in various environmental initiatives. The NRA submits that retailers are concerned about the impact of plastic litter on the environment, are already taking steps to improve sustainability practices, have complied with regulatory interventions to date, and need time and support to comply with numerous state and federal initiatives and continue innovating while meeting consumer demands.

#### 3.1. Voluntary initiatives

- Thousands of retailers – from small to large retailers – have voluntarily stopped using lightweight plastic carry bags. Alternatives have been in use for many years in Bunnings, IKEA, McDonalds, KFC and thousands of small retail stores and food outlets.
- Coles and Woolworths voluntarily ceased supplying lightweight plastic shopping bags nationwide in June 2018. Within 12 months, Woolworths reported issuing 3 billion fewer bags from its Australian stores, while Coles reported that they were able to divert 1.7 billion single use bags from landfill.
- Coles and Woolworths have also introduced a range of reusable bags including an entry level bag made from 80 per cent recycled content, and a range of reusable bags that support community organisations.
- In June 2018, Coles supermarkets committed to a number of packaging initiatives, which support the Federal Government's 2025 packaging targets, including:
  - All Coles Own Brand packaging will be recyclable by 2020;
  - More recycled content will be included in Coles Own Brand packaging;
  - Excess packaging will be reduced across stores and the supply chain;
  - Soft plastic recycling options will be available in all Coles supermarkets (which has already been achieved); and
  - New labelling promoting recycling will be introduced.
- In 2017 manufacturers that sell wet wipes voluntarily developed labelling standards for their products which better informs consumers of correct disposal methods. This proactive action to educate consumers about the dangers of incorrect disposal into sewerage has been fully embraced by the industry.

There are thousands of examples across Australia of initiatives in which industry has proactively taken action to improve sustainability.

#### 3.2. State-wide bag bans

By the end of 2019, seven of the eight states and territories in Australia will have a ban on lightweight plastic shopping bags in place.

It is important to note that the vast majority of retailers, and the NRA, have expressed strong support for bans on lightweight plastic shopping bags, given they are nationally-consistent and real alternatives are now widely available. The vast majority of retailers are complying with bans and shoppers have embraced new habits using reusable shopping bags and increasing their rates of recycling plastic bags and packaging.

Though the bans have been a positive success, it is important to recognise that they have been one of the most significant behaviour changes in the past decade and that retailers and their staff have been at the coalface of change, enduring consumer resistance and opposition.

Many retailers have introduced small fees for alternative bags to cover increased costs and further reduce consumption. Retailers report that total bag consumption (including reusable options) has reduced by up to 90 per cent due to bag fees. Retailers have weathered significant consumer complaints and media criticism by introducing bag fees but the resultant reduction in consumption should be recognised and supported. Many have also introduced reusable alternatives made from recycled content, providing a viable circular economy for recycled plastics.



### 3.3. Industry Code of Practice for Sustainable Shopping Bags

The Tasmanian Government is part of a multi-state working group working with retailers to enact a voluntary phase-out of boutique plastic bags. The National Retail Association is currently working in conjunction with this working group to develop an Industry Code of Practice for Sustainable Shopping Bags to outline clear road maps for businesses to work towards thicker reusable bags, alternative materials and recycled content.

### 3.4. Other initiatives

There are numerous positive initiatives underway across the retail and related sectors. For example, Salvos Stores have launched 'Moving the Needle' textile recycling program encouraging circular economy systems between retailers, consumers and charity stores. The Australian Government's National Food Waste Strategy, which targets halving Australia's food waste by 2030, has also been embraced by many manufacturers and retailers through collaboration in the Fight Food Waste Cooperative Research Centre. Many businesses are also investigating new technologies to recycle or reuse materials, such as Detmold Packaging's Recycle Me coffee cup program and start-ups developing ways to return plastic waste to crude oil for reuse.

The NRA emphasizes that the retail industry is proactively involved in improving sustainability and has borne the burden of recent substantial regulatory and consumer behaviour change. The NRA submits that future actions should support, not restrict, current innovation and should employ a collaborative approach to ensure practical, long-term change is accomplished.





#### 4. BY-LAW ANALYSIS

Upon review of the By-law provided, we express significant queries and concerns about definitions, inclusions, and exemptions, to the extent that we do not fully understand what is or is not banned.

Given the broad offence, lack of consistent definitions and lack of clarity in exemptions, this by-law in its current form covers all packaging in a tub, cup or packet which is produced by the retailer or an affiliate, contains food and is consumed away from the point of sale.

This by-law could therefore apply to hundreds of goods within a supermarket, delicatessen, bakery, gift store or specialty retailer – from children's juice poppers to microwaveable noodle cups in grocery stores, from pre-packaged, house label sandwiches offered by service stations to every container used by a takeaway food outlet.

##### Single-Use Plastics By-law - The Offence (Part 3.12)

"A retailer must not provide to a person any food packaging which is:

- (a) wholly or partly comprised of plastic; **and**
- (b) a single-use product.

Penalty: 8 penalty units"

Comment: So given 1 penalty unit is \$168, is one offence approximately \$1344?

##### Part 1 - Key terms

- **"food packaging"** means any container which is used to carry food from a retailer's premises to the point where the food is consumed, and related items, including but not limited to:
  - (a) tubs and lids;
  - (b) cups and cup lids;
  - (c) utensils, including cutlery, stirrers and straws; and
  - (d) sachets or packets which provide single serves of condiments, including but not limited to soy sauce, wasabi, and tomato sauce."
- **"single-use product"** means a product that is not conceived, designed or placed on the market to accomplish, within its life span, multiple use by being returned to the retailer for refill or re-used for the same purpose for which it was conceived."

Comment: These and several other definitions do not align with federal or state definitions.

##### Part 2 - Application

**Part 2.5:** "This by-law applies where a retailer provides or sells food to be taken from the retailer's premises in food packaging."

Comment: Broad definitions above mean that this includes thousands of products such as pre-packaged food and drinks of the retailer's own brand or related entity.

**Part 2.6:** This by-law does not apply where a retailer provides or sells food in food packaging where:

- (a) the food will be consumed at the retailer's premises; and
- (b) no food packaging is taken from the retailer's premises.

Comment: Does this mean that different packaging must be used for the same foods and drinks produced by a retailer depending on whether it is eaten onsite or away-from-store?



This may be suitable for some cafes and restaurants which have commercial washing facilities and infrastructure onsite but would actually entail many takeaway food retailers duplicating every packaging construct based on where the consumer wants to eat the product, which is unrealistic and impractical.

**Part 2.7:** "Except in relation to sachets or packets which provide single serves of condiments, this by-law does not apply to food which has been packaged by a person who is not the retailer, or a related entity of the retailer."

Comment: Are condiment sachets banned if they are packaged and prepared externally and form part of a pre-packaged product, such as a cup of microwaveable noodles with fork and sauce sachets inside?

**Part 2.8:** "This by-law does not apply to any food packaging which exceeds:

- (a) an area equivalent to A4 (210mm by 297mm); or
- (b) 1 litre in volume

Comment: If a plastic container has the surface area equivalent of A4 (ie. 624 square centimetres) it would be exempt?

**Part 2.9:** "This by-law does not apply to plastic shopping bags or barrier bags."

**Key terms as per by-law definitions:**

- **"barrier bag"** means a bag used to carry unpackaged perishable food, including, but not limited to including, fruit, vegetables, meat and fish<sup>1</sup>;
- **"plastic shopping bag"** means a bag, with handles, that is –
  - (a) made, in whole or in part, of polyethylene with a thickness of less than 35 microns; or
  - (b) a bag of a type prescribed by regulations to be a plastic shopping bag –
  - but does not include –
  - (c) a biodegradable bag; or
  - (d) a plastic bag that is an integral part of the packaging in which goods are sealed before sale; or
  - (e) a barrier bag; or
  - (f) a bag of a type prescribed by regulations to not be a plastic shopping bag.<sup>2</sup>

Comment: Therefore we assume that a bag with or without handles, regardless of thickness, that is used to contain fresh produce, such as raw meat, grapes or a hot roast chicken, is not included in the ban or by-law. We need confirmation that this is correct.

**Part 2.10:** "This by-law does not apply where a retailer provides or sells food in food packaging where:

- (a) the food packaging has been provided by the person who is receiving the food from the retailer (the customer); and

<sup>1</sup> Plastic Shopping Bags Ban Act 2013

<sup>2</sup> Plastic Shopping Bags Ban Act 2013



(b) the customer was not provided with the food packaging by the retailer, or a related entity of the retailer. "

Comment: The by-law states that products are exempt if they have been packaged by a person who is not the retailer, or a related entity for the retailer.

Therefore, we are assuming that sandwiches prepared and packed off site by another company, and sold at a retailer, are exempt.

Does this exemption still apply if those externally prepared and packaged products contain an eating utensil, straw, or a sachet of sauce?

So if a retailer produces and pre-packages its own brand name food product can these have a single-use plastic item attached or included? Eg. drink poppers with straw attached, cup of microwaveable noodles with fork and sauce sachets inside. These are prepared offsite but are sometimes produced by the retailer or a related entity.

#### Part 2.11: Certifications and standards

Comment: There are multiple issues with these, for example:

- using international standards is inconsistent with federal and state legislation
- compostable standards in the glossary do not match acceptable Australian standards
- current research indicates that bioplastics are largely untested and debated in terms of long-term environmental and health impacts.

#### Definitions and clauses absent

- *No definition of single-use items which may be sold as bulk packets.*  
This by-law should not apply where a retailer sells or provides single-use plastic items that are not intended for immediate use (such as bulk packets of plastic straws and cutlery for picnic needs). Retailers should be able to sell bulk packs of cutlery, straws etc that are not intended for immediate use.
- *No definition of packaging that is designed to meet food and public safety requirements.*  
The by-law should not apply to packaging that is used to meet food safety requirements and/or where it is necessary to ensure safe transport and storage of a product without risk to human safety or health. For example, containers or bags that contain hot roast chickens. Under Australian Consumer Law businesses have a legal duty of care and are bound by multiple food and human safety regulations which must take precedence.
- *No definition of tubs and containers that are used to transport grocery and fresh produce items from the store to home and can be recycled or reused at the customer's discretion.*  
We would assume that plastic deli containers (as supplied at a delicatessen or supermarket) are not single use but need confirmation that they are not included.

We understand it can be challenging to define specific items while allowing for thousands of product lines and variations, and therefore reiterate our recommendation to align with state and national strategies which are working on developing clear definitions, strategies and product trials before the implementation of legislation.





## 5. KEY IMPACTS & CONSIDERATIONS

The NRA supports reducing the amount of single-use plastics consumed and the amount of plastic entering the environment through improper disposal.

However, we urge the City of Hobart to reconsider the proposed by-law and, instead, to collaborate with retailers, manufacturers, state government, and federal government on existing strategies which we believe will create more beneficial outcomes for business, the environment and the community.

The following considerations are submitted to support this argument.

### 5.1. Government policy must be consistent

A major issue for businesses is the need for a consistent approach across the states and across all types of businesses in an effort to reduce complexity, increase consumer understanding, and to produce targeted and consistent communications.

#### 5.1.1. Current Federal Government Policy

The Tasmanian Minister for the Environment endorsed the National Waste Policy at the Meeting of Environment Ministers (MEM) in late 2018. This month, the Australian Government released the National Waste Policy Action Plan which clearly outlines national targets and strategies to be undertaken at a federal, state and local level over the next few years.

The NRA submits that national strategies and commitments should be given precedence and urges decision makers to avoid any regulatory intervention which does not align with the National Waste Policy Action Plan and timeframes. Businesses need certainty, consistency, as well as time and resources, to enact positive change instead of diverting resources to manage conflicting compliance strategies.

#### Example: National Packaging Strategy

The Regulatory Impact Statement makes detailed mention of the Australian Packaging Covenant Organisation (APCO) program and targets but the proposed by-law fails to align with APCO's strategies and timeframes.

In 2018, the Australian Government tasked APCO with implementing industry codes to deliver on the target of making 100% of Australian packaging recyclable, compostable or reusable by 2025 (among other measures). Many retailers are already signatories to the code and have complex research and testing initiatives underway to reduce or replace unsustainable packaging.

However it is important to note that APCO and the Australian Government have recognised the complexity of packaging and have established numerous projects and research initiatives to assess current and future alternatives. See *list of APCO 2019 Priority Projects*<sup>3</sup> >>

The detail and depth of the APCO Priority Projects illustrate that solutions are not as straightforward as some believe and that evidence-based research, collaboration and innovation is an essential step to successfully phasing out single-use plastics and packaging.

It also shows that some alternatives that are currently available may not create positive net outcomes for the environment or the community. For example, oxo-

Attachment 1. APCO Priority Projects .....	
Project 1.1 Consumption and Recycling Data .....	
Project 1.2 Infrastructure Mapping .....	
Project 1.3 Economic Analysis of Alternative Packaging Collection systems and End Markets .....	
Project 2. Public Statements on Specific Materials .....	
Project 3. White Paper on Problematic and Unnecessary Packaging .....	
Project 4. Scenarios for the future .....	
Project 5.1 Quickstarts: Design Guidelines for Recycling (x5) .....	
Project 5.2 Soft Plastic Packaging Guidelines .....	
Project 5.3 Compostable Packaging Guidelines .....	
Project 5.4 Wine Packaging Guidelines .....	
Project 6. Food Service Packaging Guidelines .....	
Project 7. Compostable Packaging Labelling Program .....	
Project 8. Recycled Content Labelling Program .....	
Project 9. Lifecycle Assessment Guide .....	
Project 10. National Consumer Education Campaign .....	
Project 11. Analysis of Problematic Packaging Materials .....	
Project 12. Pulpability Trials .....	
Project 13. Packaging Supply Chain Training .....	
Project 14. Models for Phase Out of Single Use Plastics .....	
Project 15. Compostability Trials .....	
Project 16. Regional Model for Soft Plastics Recycling .....	
Project 17. Remote and Regional Waste Collection Partnerships .....	
Project 18. Government Procurement of Recycled Materials and Products .....	
Project 19. Supply Chain Procurement of Recycled Plastic Products .....	
Project 20. EPS Collection and End Markets Pilot .....	
Project 21. Circular Economy Hub .....	

<sup>3</sup> <https://www.packagingcovenant.org.au/documents/item/2188>



degradable alternatives have been found to create more microplastics which enter our waterways and food chain.

Businesses must be able to access and trust viable alternatives and we are not convinced that current alternatives, product knowledge, and supply chains in Hobart will guarantee positive outcomes.

#### **Example: National Food Waste Strategy**

The Australian Government's National Food Waste Strategy aims to halve Australia's food waste by 2030.

According to the Fight Food Waste Cooperative Research Centre (FFWCRC)<sup>4</sup>, food loss and waste represents the third largest greenhouse gas emitter with food loss along the supply chain and food waste after purchasing. In a recent lecture, FFWCRC representative Mark Barthel recommended packaging opportunities to reduce food waste including increased packaging such as portioned packets, resealability, protection, and optimal product design. These recommendations are based on extensive international experience particularly in the UK where food waste has been reduced by 28 per cent over 10 years.

Given conflicting government strategies and advice to simultaneously reduce and increase packaging, businesses are understandably confused and more consensus on the optimum balance needs to be achieved. This issue has been recognised at a federal and state government level.

#### **5.1.2. Current State Government Policy**

The Tasmanian Government is currently reviewing consultation on its published Draft Waste Action Plan which prioritises the following key strategies:

- Introduce a waste levy by 2021 to fund waste management and resource recovery activities;
- Introduce a Container Refund Scheme in Tasmania by the end of 2022;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

The Tasmanian Government is setting clear actions and schedules to deliver on these targets and we urge decision makers to avoid any regulatory intervention which does not align with the Tasmanian Waste Action Plan. Introducing a blunt legislative instrument such as by-law in a localised area by the end of 2020 conflicts with the Tasmanian Waste Action Plan and jeopardises the success and support of both.

#### **Example: Tasmanian Container Deposit Scheme**

The NRA strongly supports the implementation of Container Deposit Schemes (CDS) in reducing unnecessary and problematic plastic litter and supporting a circular economy.

For example, the NRA continues to work closely with the Department of Water and Environmental Regulation (DWER) to inform the design and implementation of the Container Deposit Scheme in Western Australia which is due to be implemented in 2020.

The Tasmanian Government has recently announced that it will implement a CDS by 2023.

When executed carefully, container deposit schemes are an example of a well-researched, collaborative solution which addresses and integrates with consumer behaviour, business systems, circular economy objectives, as well as current waste management infrastructure.

<sup>4</sup> For more information see <https://fightfoodwastecrc.com.au/>



Importantly, the fact that this one scheme that deals with one type of plastic item takes several years to implement also illustrates that the best solution may not be the quickest, but is one that is well-reasoned, tested, and ultimately designed to create real and long-lasting change.

Given the significant infrastructure and consumer behaviour change expected over the next three years to introduce a CDS across Tasmania, the NRA urges decision makers to avoid any further regulatory intervention (and mixed messaging) until this important scheme is firmly established.

#### **Example: Phase out problematic and unnecessary plastics by 2030**

Another target set by the Tasmanian Government is to “work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics by 2030”. This clearly indicates a more collaborative, reasonable approach to a complex issue and we urge the City of Hobart to align with this and support businesses, instead of blunt regulatory intervention which will have immediate and negative impacts on local businesses and consumers.

### **5.2. Health and safety must be the highest priority**

The NRA submits that more research is needed into sustainable alternatives to plastic cups, takeaway coffee cups and lids, and takeaway food containers, tubs and lids, as these items contain or touch food and entail significant health and safety considerations.

Food and safety regulations often contradict with retailers attempts to be more sustainable. Businesses, particularly those that sell food or produce, are often faced with choices between hygienic plastic packaging and non-food grade, ‘natural’ materials.

For example:

- containers made from recycled materials often fail to meet food grade requirements;
- some compostable tubs and lids have been found to leach into wet food products imparting taste and particles (with research yet to be completed on the health impact of this);
- some compostable and paper packaging has been shown to break apart before the food can be consumed (entailing high risk if the food or drink is hot);
- some research indicates that bioplastics may create worse health and environmental impacts than other polymers;
- some businesses have tried to reuse stock boxes to avoid using carry bags but have been criticized by local food and safety regulators due to potential vermin issues;
- some alternative drink containers and food tubs have been found to expand or ‘pop’ their lids due to pressures from heat, cold or carbonation; and
- packaging is often designed to protect foodstuffs from tampering or contamination (for example between raw and cooked foods).

The fact that the broad by-law definitions may also include *all* plastic tubs and containers used by a brand also means that the food safety of hundreds of products may be compromised. Technically this could include every plastic food container in a store – from juice cartons and poppers to every kind of microwaveable or frozen meal – if it is the store’s own brand.

Australian consumer law applies a broad duty of care and allows retailers to potentially be held accountable for any adverse impacts of contaminated or sub-par food – even if this is created by failures of packaging (eg. being burned by a leaking hot cup of coffee) or by consumer actions (eg. improper storage or unsanitized reusable containers). Serious concerns have been raised regarding the increased risk of contamination using consumers’ reusable containers as businesses are not able to control cleanliness and food grade standards.

The NRA submits that, as APCO and multiple state governments have found, further research and collaboration is needed to reach consensus on sustainable alternatives and which ones actually achieve better outcomes in terms of the environment and human health. The retail and manufacturing industry is undertaking extensive research and testing to develop and assess alternatives (in line with APCO targets) but this will take time and support.



Policies must align with health and safety policies and should be consistent and applied across all levels of government. The NRA recommends that a reduction in these plastic items is approached in a staged way, with a whole of supply chain approach, including more recycling options to find the best solution with the greatest overall benefit.

We also submit that greater government investment in new technologies, such as developing food grade, heat tolerant containers made from recycled and recyclable materials should be explored.

### 5.3. Financial impact on businesses

#### 5.3.1. High cost burden on small food businesses

According to the *Regulatory Impact Statement* (RIS), Hobart-based takeaway food retailers, bakeries, butchers, cafes and restaurants will face the highest increase in costs. For example, the RIS estimates that a takeaway store will face an average of almost \$3000 per year in increased costs, with a maximum estimate of \$21,000 per year.

We consider that this cost burden on business is too high, particularly on sectors representing a large proportion of small and independent, family-run businesses. It is unacceptable to expect businesses to absorb costs or cut staff to counter these costs, and they will ultimately need to pass these costs onto consumers.

The statement clearly indicates that "high customer volume takeaway franchises would likely be heavily impacted". It surmises that multinational chains could face cost increases of \$20,000 to \$30,000 given significant supply chain changes.

The RIS fails to consider the broader sectors and products potentially impacted by the by-law which, in its current form, could apply to hundreds of retailer branded goods within a supermarket, delicatessen, bakery, gift store or specialty retailer – from children's' juice poppers to microwaveable noodle cups in grocery stores, from pre-packaged, house label sandwiches offered by service stations to every container used by a takeaway food outlet.

#### 5.3.2. Underestimated costs

The RIS implies that stores "simply need to buy compostable packaging from their current supplier... or find a new supplier". Alternatives to single-use plastics such as paper or cloth options are more expensive, sometimes 1000 times more expensive. In addition, there are only a handful of suppliers offering sustainable options in Australia, meaning choices are limited and prices are less competitive.

The RIS fails to account for the additional costs to business created by changes in packaging, such as contract renegotiation, changing and rebriefing suppliers and logistics, equipment and storage changes, potential transport changes to protect foodstuffs in less safe packaging, redesigning and printing new menus to incorporate price changes, retraining staff in new packaging and procedures, consumer education about the change and increased costs at point-of-sale, increased staff pressures and serving delays given potential complaints and queries which will ultimately be borne by retail and food service staff. Therefore the potential cost to businesses could be much higher than proposed in the RIS.

In addition, the supply of sustainable packaging options in Tasmania (and Australia) is quite limited and therefore lacks market factors to ensure competition, fair pricing and ethical practices. If only a few manufacturers produce approved alternatives they can control and inflate market prices. The NRA submits that government needs to carefully examine and potentially invest in, the sustainable packaging industry as well as strengthening the waste and recycling sector to produce viable circular economy outcomes.

#### 5.3.3. Competitive impacts underestimated

The RIS proposes that there are "little to no competitive impacts" based on the singular presumption that travel costs to purchase food from another council area would prevent consumers from abandoning Hobart-based businesses with higher prices created by alternative packaging. The NRA disputes this finding.

Firstly, it fails to account for modern takeaway food delivery services most of which apply a flat delivery fee regardless of distance. A customer can order a delivered takeaway meal from a neighbouring district at lower





cost without any additional effort or travel cost. Many food businesses rely on delivery services and it is negligent to ignore this.

Secondly, the analysis assumes that Hobart consumers are somewhat a captured and static market. Many food consumers in the Hobart market are commuters and therefore have multiple options along travel routes and it would be relatively easy for commuters to pick up takeaway food from outer districts along their existing route without affecting travel costs.

#### 5.3.4. Increased compliance burden

Adding further complex compliance demands would add more pressure to businesses who are already feeling a high degree of pressure. This is particularly true for vulnerable small businesses and franchisees. These small local businesses make a significant collective difference to the economy and environment, and the NRA urges restraint so that local retailers have time to absorb the implications of current initiatives, and find practical, workable solutions before meeting further significant compliance demands.

#### 5.4. Financial impact on consumers

Ultimately increased costs will need to be passed on to Hobart consumers through increased prices.

The NRA is not convinced that consumers understand the real cost of alternatives or that they will be willing to pay for more sustainable alternatives as suggested in the RIS. The NRA recommends that policies be carefully considered and implemented to avoid placing a heavier burden on already-stretched household budgets.

The *Cost Benefit Analysis (CBA)* proposed in the *Regulatory Impact Statement (RIS)* submits that the by-law will cost over \$3.2 million by 2025 and retailers and consumers will directly incur \$2.8 million of this through increased packaging costs. We expect that given the unaccounted costs described above it will cost even more.

#### 5.5. Consumer behaviour and demand

Modern consumers are now somewhat more spontaneous than they were in the past, doing their shopping in conjunction with social activities or on their way to or home from school runs, university or the gym. This means that they are not always prepared and do not always come with their own reusable items. This calls for more discussion around how retailers can provide inexpensive, environmentally sustainable alternatives, supported by infrastructure that allows customers to conveniently feed their disposed items back into the circular economy.

While consumer concern for the environment is increasing, there remains high demand for inexpensive and convenient options at point of sale. Retailers also report that when it comes to paying for more sustainable options, many consumers still fail to perceive value in more sustainable products, such as recycled copy paper and recycled toilet paper which continue to suffer poor sales.

Though a small proportion of customers have started to use reusable water bottles and coffee cups, we believe that, at this time, the majority of consumers are not prepared to bring their own reusable utensils, straws, food containers and cups on every outing. Our members report that currently a very small proportion of customers bring their own reusable coffee cups (less than three per cent) or bring their own food containers (less than 1 per cent). Though many consumers may indicate their support in principle for a ban on single-use plastics, we strongly believe that many have not considered practical issues of banning foodstuff plastics, implications for food waste, or limitations of alternatives.

If regulatory action is indiscriminate or premature, it imposes unrealistic expectations and costs on consumers, resulting in negative perceptions and potential backlash, and this can hold back the success of more thorough, gradual initiatives. The NRA submits that more research into alternatives and widespread consumer education is needed to ensure any action is practical (and therefore supported by) the majority of consumers.

#### 5.6. Consumer understanding

The NRA submits that though consumers are generally concerned about the impact of plastic on the environment, they lack understanding on many issues such as degradability, bioplastics, recycling markets, impacts on waste management systems and the benefits of supporting goods made from recycled materials. Businesses are similarly



faced with confusion, misinformation and misleading claims from suppliers, and many report that they don't know which alternatives provide the best environmental outcome.

For example, many consumers and businesses still believe that "degradable" plastic is an environmentally-friendly alternative. Many also do not know the difference between biodegradable and compostable plastic, the difference between home and commercial compostability, and how to properly dispose of these items. This can create further issues for local material recycling facilities (MRFs) which have not been accounted in the Cost Benefit Analysis.

In addition, while retailers may be able to control hygienic service and correct waste/recycling streams for food consumed onsite, approximately 70 per cent of takeaway food is consumed away from the store – either at home or elsewhere. Recycling and disposal actions are in the complete control of the consumer, including litter. Changing packaging materials fails to address the fundamental issue of consumer education and behaviour. A by-law model solely focuses on imposing restrictions on business but no incentives for consumers to change their behaviour.

We submit that collaboration and extensive education should be primary objectives before any regulatory action is considered.

#### 5.7. Ensuring real benefit

While we support the need to address the impact of plastic on our environment, we strongly support that robust information on the environmental and economic impacts of alternative products must inform actions. Initiatives must be carefully-considered, trialed and assessed in order to create effective, viable and long-lasting improvements.

Though much research has been done on the impact of plastic litter when it enters our environment, there is little consensus on what the ideal solutions are, that is: which alternatives should replace functional plastics; which solutions produce the best long-term environmental impact; which are practical and possible with current materials, technology and infrastructure; which are available and affordable in the Australian marketplace; and which has greater net public benefit.

The NRA submits that there is lack of consensus on the desired sustainable alternatives and outcomes across (and within) industry and government. For example, the Waste Hierarchy model suggests that Reusability is preferable to Recyclability, however a plastic takeaway food container is more reusable than a paper container which is recyclable.

There are multiple stakeholders such as local councils, governments, suppliers and environment groups providing contradictory or uninformed advice on sustainable alternatives, resulting in confusion for consumers and business. For example, some stakeholders recommend paper containers while others argue these have a high greenhouse impact. Retailers and consumers need clear, consistent information to be able to take action.

The NRA believes that Circular Economy models are more applicable and that, at this point in time, more focus should be placed on supporting innovation in recycled and recyclable goods, educating consumers on improving recycling behaviour to create cleaner, higher value recycling streams, shifting consumer perceptions of items made from recycled materials, investing in innovations and infrastructure, and creating a robust and commercially-viable Australian circular economy.

The NRA submits that consensus on sustainable options based on research and collaboration must be prioritised before any regulatory action is considered.

#### 5.8. Unintended social impacts

There may be unintended social consequences of widespread bans or individual bans for single-use plastics such as a ban on flexible plastic drinking straws. Replacing these with an alternative that does not have the same flexibility could unfairly discriminate against vulnerable sectors such as the elderly and people with disability who rely on these items. While exemptions may be proposed, we believe that having to identify a medical or private condition just to use a straw (or the like) would unfairly single-out vulnerable groups and compromise privacy rights.



### 5.9. Investment in education, innovation and infrastructure

The NRA submits that the Australian recycling system and market for recycled and recyclable goods is limited and immature compared to overseas counterparts like the EU, and government investment into innovation and infrastructure in the waste and recycling sectors is urgently needed to develop a circular economy in Australia.

The NRA also submits that there is a high level of confusion and lack of consensus regarding sustainable alternatives, that understanding of waste stream impacts is low, and that contradictory messaging around food waste and packaging confuses businesses and consumers. We submit that collaboration and extensive education should be primary objectives before any regulatory action is considered.

### 5.10. Voluntary approaches with business and industry

A voluntary scheme is briefly proposed in the RIS but only analyses one model where costs are inflated by a Council-based accreditation scheme. This is not reflective of modern voluntary industry schemes which are proving successful in other jurisdictions.

Voluntary approaches reward early adopters, motivate retailers to understand the reasons for regulatory change, signal a need for innovation, and give smaller local retailers already experiencing the burden of a complex regulatory environment time to make adjustments and find workable sustainable alternatives. Most importantly, a slower, steadier approach like this gives regulators insight into the problems and issues inherent in changes of the magnitude considered here.

#### Example: Microbeads

Microbeads are the perfect example of the success of voluntary reduction strategies. The current level of global government and industry support for the eradication of microbeads, when coupled with consumer education programs, can be enough to eradicate microbeads now and for the future.

#### Example CDS

For example, the NRA puts forward the container deposit scheme model as a researched, carefully-implemented solution which addresses and integrates with consumer behaviour, business systems, circular economy objectives, as well as current waste management infrastructure. The fact that this one scheme that deals with one type of plastic item takes several years to implement also illustrates that the best solution may not be the quickest but is one that is well-reasoned, tested, and ultimately designed to create real and long-lasting change.

#### Example: Plastic Free Places

The NRA supports the phase-out of plastic cutlery, stirrers and straws if this is approached in a methodical way such as the "Plastic Free Places"<sup>5</sup> trials underway in South Australia and Queensland. These trials involve providing resources, education and engagement to businesses in designated areas to phase-out items that have viable compostable alternatives. The program also includes engagement with supply chain packaging suppliers enabling coop and discount buying arrangements to ease the cost impact to consumers and businesses.

This voluntary but highly-tracked approach is yielding impressive results and offers a practical, positive alternative to premature legislative intervention.

The NRA submits that many positive initiatives involving collaboration between government and industry are underway, such as the Australian Packaging Covenant, Container Deposit Schemes and an Industry Code for Sustainable Shopping Bags, and these need time and support to deliver outcomes. The NRA urges decision makers to support circular economy initiatives which aim to create a long-term and commercially-viable shift from treating 'waste' as a 'resource', not just reduction in use.

A voluntary program could lower costs incurred by businesses, consumers and the broader community and increase benefits higher than estimated in the RIS, given successful voluntary programs in other jurisdictions.

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<sup>5</sup> More information: <https://www.plasticfreeplaces.org/>



## 6. RECOMMENDED ACTIONS

While the NRA strongly agrees that plastic poses serious threats to our environment when improperly disposed, we submit that each type of item needs to be carefully considered as there is no single umbrella solution.

The NRA urges decision makers to ensure that any action taken is practical, consistent, well researched and carefully considered in order to create real, long-lasting change. In some cases, we must also allow time for innovation, understanding and practicality to catch up to our good intentions.

The NRA submits the following recommended actions, identifying where current actions or initiatives underway are sufficient, then focusing on low complexity items for immediate action and/or regulatory intervention, to high complexity (or high risk) items such as plastics which contain or preserve food.

This staged, methodical approach is similar to those being undertaken in South Australia and Queensland.

### 6.1. Support current actions

The NRA submits that actions that are already underway are producing positive results and both retailers and consumers need time to fully adapt to these changes.

Item	Recommended actions	Comment
Plastic beverage containers	<ul style="list-style-type: none"> <li>State or National Container Deposit Scheme</li> </ul>	<p>The NRA supports the announcement of a Tasmanian CDS by 2023.</p> <p>Given this important change, the NRA urges local government to allow manufacturers, retailers and consumers time to adjust and to avoid any further regulatory intervention (and mixed messaging) until the scheme is firmly established.</p>
Thicker plastic bags	<ul style="list-style-type: none"> <li>National Voluntary Code of Practice (under development)</li> </ul>	<p>Given recent success of the bag ban, some retailers are now researching alternatives to thicker plastic shopping bags.</p> <p>Therefore, in conjunction with state governments across Australia, the NRA are currently developing and gaining support for a National Voluntary Industry Code of Practice for Sustainable Shopping Bags. This Code is designed to provide clearer pathways and incentives for retailers to move towards more sustainable options which are thicker and more reusable or made from recycled content.</p> <p>Businesses need time to research, innovate, test and negotiate substantial changes and a tiered code would offer necessary incentives.</p>

### 6.2. Medium impact

We submit that **immediate action** can be taken on '**low impact**' initiatives in which environmental impact is immediate, proven alternatives are available, and potential risk and impact on public safety and retailers is low.

Item	Recommended action/s	Comment
Lightweight plastic shopping bags	<ul style="list-style-type: none"> <li>State-wide regulatory ban (in effect)</li> <li>Review state legislation to include bioplastics and supplier offences</li> </ul>	<p>The NRA supports the Tasmanian ban on lightweight plastic shopping bags and this regulatory tool has been fully embraced by the retail industry. Since the ban came into effect, the majority of retailers and consumers have accepted the change and reviews have concluded that the ban has successfully reduced plastic waste. However it is important to note some</p>





Item	Recommended action/s	Comment
		<p>retailers may still face challenges given inconsistent information on the best alternatives and somewhat misleading information from suppliers.</p> <p>However, the NRA supports extending the regulatory ban in Tasmania to include lightweight biodegradable and compostable plastic shopping bags as we are convinced by current research that bioplastics may not be better for the environment, and we support working towards national consistency aligned with more recent bans in Queensland, Western Australia and Victoria.</p> <p>We also submit that the existing legislation should be reviewed to include specific offences and penalties for <i>suppliers or manufacturers</i> of banned bags in regards to false or misleading information, as incorporated in more recent state-wide bans.</p> <p>Importantly we submit that any regulatory change would require reasonable notice, industry consultation and community education.</p>
Cutlery, straws and stirrers	<ul style="list-style-type: none"> <li>Phase-out similar to staged South Australia plan eg. Plastic Free Places</li> </ul>	<p>The NRA supports the phase-out of takeaway/immediate use plastic cutlery, stirrers and straws if this is approached in a methodical way such as the “Plastic Free Places”<sup>6</sup> trials underway in South Australia and Queensland.</p> <p>The SA and QLD trials involve environment group, Boomerang Alliance, providing resources, education and engagement to businesses in designated areas to phase-out items that have viable compostable alternatives. The program also includes engagement with supply chain packaging suppliers enabling coop and discount buying arrangements to ease the cost impact to consumers and businesses.</p> <p>A key point is that businesses often do not have the time to seek optimal solutions and for those that try, there is much opportunity for them to get it wrong or to get the wrong advice.</p> <p>This voluntary but highly-tracked approach is yielding impressive results and offers a practical, positive alternative to premature legislative intervention.</p> <p>If these items were to be included in a staged legislative ban then we submit that this must be a state-led strategy with ample notice, support and education.</p>
Balloon releases	<ul style="list-style-type: none"> <li>Ban on outdoor releases</li> </ul>	<p>The NRA supports a ban on outdoor helium balloon releases. Similar to sky lanterns, it is impossible to control the final destination of helium balloons and therefore they invariably end up as litter.</p>

<sup>6</sup> More information: <https://www.plasticfreeplaces.org/>



Item	Recommended action/s	Comment
Cigarette butts/filters	<ul style="list-style-type: none"> <li>• Education campaign</li> <li>• Increased disposal points</li> <li>• Increased penalties</li> </ul>	<p>The NRA supports education campaigns to educate consumers in the volume and impact of cigarette butt litter to create greater disapproval of littering.</p> <p>Since smoking has become illegal within 5 metres of many public places, many rubbish bins or public ashtrays have been removed to discourage smoking in these areas. Shopping precincts have reported increased cigarette butt littering just beyond non-smoking areas as bins have been removed. Increasing suitable places for disposal may assist in reducing litter.</p> <p>The NRA also supports increased penalties for those caught littering cigarette butts.</p>

### 6.3. High impact

We submit that regulatory bans on plastics which contain, touch or protect foodstuffs are **'high impact'**, or **'high risk'**, not only in terms of public health and safety, but in their impact on food waste, household budgets and modern lifestyles.

Items such as pre-packaged foodstuffs, sauce sachets, produce bags, coffee cups, beverage cups, takeaway food containers / tubs, and related lids are used for a wide variety of purposes but are common in their need to meet high standards of food safety and also in their high consumer demand. As illustrated by current APCO projects and multiple research initiatives, there is also little consensus on optimal alternatives.

These high risk items require a more carefully-considered, methodical approach to trial and assess food grade, heat tolerant and sustainable substitutes, not just testing their end use but throughout the supply, waste and recycling chain to assess net public and environmental benefit.

For high complexity/high risk items, we recommend a considered and evidence-based approach and submit that **non-regulatory approaches** are the most immediate next steps. We also submit that government research and investment into infrastructure to sustain a circular economy are also needed.

Item	Recommended action/s	Comment
Takeaway food containers, tubs and lids AND Takeaway coffee cups, lids	<ul style="list-style-type: none"> <li>• Phase-out staged model based on voluntary approaches with business &amp; industry</li> <li>• Sustainable product design</li> <li>• Investment in innovation and recycling infrastructure</li> </ul>	<p>The NRA submits that more research is needed into sustainable alternatives to plastic cups, takeaway coffee cups and lids, and takeaway food containers, tubs and lids.</p> <p>The retail and manufacturing industry is undertaking extensive research and testing to develop and assess alternatives (in line with APCO targets) but this will take time and support to create net positive outcomes.</p> <p>Though some consumers may support a ban on single-use plastics in principle, current consumption, low take-up of reusable options, lack of viable, tested alternatives, and implications of social equity need to be seriously considered.</p> <p>The NRA submits that, as APCO and multiple state governments have found, further research and collaboration is needed to reach consensus on sustainable alternatives and which ones actually achieve better environmental outcomes.</p>



Item	Recommended action/s	Comment
		<p>For example:</p> <ul style="list-style-type: none"> <li>• paper containers often use virgin timber to meet food grade requirements (ie. potential deforestation),</li> <li>• bioplastic PLA coffee cups and other wax or PLA lined containers contaminate the recycling chain as consumers fail to understand or have universal access to FOGO collection</li> <li>• some compostable tubs and lids have been found to leach into wet food products imparting taste and particles with some breaking apart before the food can be consumed (entailing greater risk if the food is hot).</li> <li>• practical alternatives to sauce sachets which allow mobile use are not available.</li> </ul> <p>All of these items are generally purchased in one place and consumed while mobile or elsewhere which can make product stewardship and recycling initiatives difficult. Retailers can somewhat control the correct disposal of packaging within their restaurant or store but disposal away-from-store is within consumer control.</p> <p>The NRA recommends that a reduction in these plastic items is approached in a staged way, with a whole of supply chain approach, including more recycling options to find the best solution with the greatest overall benefit.</p> <p>We also submit that greater government investment in new technologies, such as developing food grade, heat tolerant containers made from recycled and recyclable materials should be explored.</p>
Barrier/produce bags AND Prepacked food and drink products	<ul style="list-style-type: none"> <li>• Education campaign supporting reduced food waste</li> <li>• Increased collection points for soft plastics</li> <li>• Investment in recycling infrastructure</li> </ul>	<p>Any barrier or produce bag or packaging that contains food is designed to avoid contamination and improve shelf life of some of our most nutritious food groups.</p> <p>To eliminate these plastics altogether would have serious repercussions for consumers, retailers, the local economy and environment:</p> <ul style="list-style-type: none"> <li>• Increased food waste</li> <li>• Increased risk of contamination</li> <li>• Increased cost to consumers</li> </ul> <p>To our knowledge, no viable alternative to plastic produce bags that meets health and sustainability needs is available. The NRA is also convinced by current research indicating that available bioplastics are problematic in the environment, recycling infrastructure and consumer behaviour.</p> <p>Most soft plastics are recyclable but are not currently catered for in local government recycling systems. Retailers have voluntarily taken steps to fill this void, for example, Coles and Woolworths offer soft plastic recycling in-store via an</p>



Item	Recommended action/s	Comment
		<p>arrangement with REDcycle which provides customers with a practical, accessible way to recycle soft plastics.</p> <p>The NRA submits that the Australian system and market for recycled and recyclable goods is limited and immature compared to overseas counterparts like the EU, and government investment into innovation and infrastructure in the waste and recycling sectors is urgently needed.</p> <p>The NRA supports the Australian Government's national strategy to reduce food waste and believes that the public would benefit from education campaigns around the benefits of foodstuff plastic packaging in reducing food waste, coupled with education about recycling soft plastics. For example the Fight Food Waste Cooperative Research Centre recommends consumer education about the role of packaging.</p> <p>We also propose that government consider investing in soft plastic recycling being incorporated into household recycling systems.</p> <p>Any pre-packed food or drink sold by a retailer, whether it is produced by their company, a related entity or a separate company, should be considered high impact and high risk as that packaging has been designed with a specific purpose of keeping the food/drink safe.</p>

#### 6.4. Summary of recommendations

SUMMARY	Item	Recommended actions
Underway	Plastic beverage containers	<ul style="list-style-type: none"> <li>• State or National Container Deposit Scheme</li> </ul>
	Thicker plastic bags	<ul style="list-style-type: none"> <li>• National Voluntary Code of Practice (under development)</li> </ul>
Medium impact on industry or risk	Lightweight plastic shopping bags	<ul style="list-style-type: none"> <li>• State-wide regulatory ban (in effect)</li> <li>• Review state legislation</li> </ul>
	Cutlery, straws and stirrers	<ul style="list-style-type: none"> <li>• Phase-out similar to staged South Australia plan</li> </ul>
	Balloon releases	<ul style="list-style-type: none"> <li>• Ban on outdoor helium balloon releases</li> </ul>
	Cigarette butts/filters	<ul style="list-style-type: none"> <li>• Education campaign</li> <li>• Increased disposal points &amp; penalties</li> </ul>
High impact on industry or health risk	Takeaway food containers, tubs and lids, coffee cups, beverage cups, sauce sachets	<ul style="list-style-type: none"> <li>• Phase-out staged model based on voluntary approaches</li> <li>• Sustainable product design</li> <li>• Investment in innovation and recycling infrastructure</li> </ul>
	Barrier/produce bags Prepacked food and drink products	<ul style="list-style-type: none"> <li>• Education campaign supporting reduced food waste</li> <li>• Increased collection points for soft plastics</li> <li>• Investment in recycling infrastructure</li> </ul>



## 7. CONCLUSION

Moving towards a circular economy requires a change in perception, a shift from thinking of consumed items as 'waste' towards seeing them as valuable 'resources'. This requires incremental steps and a whole of supply chain approach, not just avoidance, with the right infrastructure and investment in innovation to create long-term change.

Retailers are keen to collaborate and be part of the solution. Many retailers are taking a proactive approach to environmental initiatives and strongly support current state and national regulations and initiatives. At the same time businesses are faced with a myriad of regulations, economic pressures, consumer demands, health and safety requirements, cost limitations, misinformation about alternatives, and lack of recycling infrastructure.

The NRA support the positive intentions of initiatives to reduce plastic litter, but strongly oppose premature regulatory intervention, such as the proposed by-law, as this:

- jeopardises national consistency;
- contradicts and diverts focus from existing projects and plans at a national and state level;
- fails to recognise the lack of viable, safe alternatives for the broad range of items included;
- creates confusion with poor definitions and loopholes;
- creates competitive and customer disadvantages;
- incurs high and unreasonable costs on business and customers;
- lacks comprehensive education and support mechanisms for industry; and
- lacks comprehensive plans to educate the public.

We urge the City of Hobart to reconsider the proposed by-law and, instead, to collaborate with retailers, manufacturers, state government, and federal government on existing strategies which we believe will create more beneficial outcomes for business, the environment and the community.

Therefore we urge the City of Hobart to:

- Collaborate with industry in investigating, trialing and assessing alternatives to plastic items deemed high risk particularly those which touch or contain foodstuffs;
- Assist with research into sustainable alternatives to provide businesses with nationally-consistent, practical, best practice advice;
- Continue to invest in community education campaigns particularly regarding recycling, food waste and the realities facing businesses as they move towards more sustainable options; and
- Invest time and resources into improving innovation and infrastructure to help build a circular economy.

Thank you for this opportunity to provide our submissions on behalf of the retail industry and our members.

Should you have any queries, I can be contacted on 0409 926 066 or [d.stout@nra.net.au](mailto:d.stout@nra.net.au).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D Stout', with a stylized flourish at the end.

David Stout  
Director, Policy  
National Retail Association





Felicity Edwards  
Manager, Environmental Health  
City of Hobart  
Macquarie St  
Hobart TAS 7000

25 November 2019

#### Single-use plastics by-law

Dear Felicity

The Australian Retailers Association appreciates the opportunity to provide a submission in relation to the review of the City of Hobart's proposed single-use plastic by-law.

The **Australian Retailers Association** (ARA) is the retail industry's peak representative body, representing a \$325bn sector employing more than 1.3 million people. The ARA works to ensure retail success by informing, protecting, advocating, educating and saving money for its 9,500 independent and national retail members, which operate over 75,000 shopfronts across Australia. The ARA ensures the long-term viability of the retail sector and its position as a pillar of Australia's economy.

Members of the ARA include Australia's most trusted retailers, from the country's largest department stores and supermarkets, to specialty retail, electronics, food and convenience chains, to mum-and-dad operators.

The ARA currently has 258 members headquartered in Tasmania, comprising national chains and local small businesses, including Tasmanian enterprises such as Your Habitat, Hill Street Grocers, Coffee Club and other franchise operators.

The ARA supports efforts by governments across Australia to reduce the volume of single-use plastics in the environment. At the same time, it is important that reforms in this space occur in a co-ordinated manner and do not result in unintended consequences for our members or the environment.

#### Our commitment to plastic reduction and the circular economy

The overwhelming majority of ARA members are committed to reducing their use of plastic and helping their customers and teams to recycle. One of our members was the first major supermarket chain to eliminate

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single-use plastic bags nationally (removing over three billion bags from circulation) and the sale of plastic straws, and continues to work with suppliers to reduce plastic across their range while maintaining convenience and value for their customers.

Many ARA members operate bins to facilitate the recycling of soft plastics. For example, one major national member has, since January 2019, recycled over 500 tonnes of soft plastics through such a scheme.

#### **Preference for a coordinated approach**

It is ARA policy that wherever possible – and especially with regard to packaging – issues affecting retail members should be tackled on a national basis. For businesses operating in multiple states, a fragmented approach increases administrative costs and confusion for our members and their customers alike (where product ranges and regulations on selling them may differ depending on the suburb or even the street in which a store is located).

We encourage local, state and Commonwealth governments to work together on nationally consistent policies with regard to recycling and the circular economy. Optimal environmental outcomes are unlikely to be achieved if differing approaches are taken by the 500+ local government authorities throughout the country.

Indeed, we note Council's own survey data indicated respondents would prefer these matters to be handled by the state government. In this case, the ARA would prefer enabling legislation to be managed by the Commonwealth to ensure simple, efficient and effective means with which to achieve the desired environmental outcomes.

Local government does have an important role to play in supporting the transition to a circular economy, particularly in relation to waste management services. To that end, the ARA welcomes Hobart City Council's decision to introduce Food Organic Garden Organic (FOGO) kerbside collection.

#### **Concerns over by-law as drafted**

The ARA has significant concerns around potential unintended consequences of the by-law as currently drafted.

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Our understanding from Council's public statements and the Revised Regulatory Impact Statement is that the by-law is intended to ban "single use plastic takeaway packaging from Hobart food retailers"<sup>1</sup>. It was not intended to capture food items pre-packaged elsewhere and sold instore.

However, the following sections, when applied to large retailers, have the potential to impose on these businesses well beyond the stated objectives of the by-law:

7. *Except in relation to sachets or packets which provide single serves of condiments, this by-law does not apply to food which has been packaged by a person who is not the retailer, or a related entity of the retailer.*
10. *This by-law does not apply where a retailer provides or sells food in food packaging where:*
  - (a) the food packaging has been provided by the person who is receiving the food from the retailer (the customer); and*
  - (b) the customer was not provided with the food packaging by the retailer, or a related entity of the retailer.*

Where *retailer* is defined as "a person who sells food" (and person can include a corporate entity), and *related entity* is "as defined in the Corporations Act 2001 (Cth)."

Some larger ARA members sell, for example, fresh food and bakery products produced and packaged offsite – in some cases by independent third parties under contract – but a literal application of the by-law, as it stands, may find the member responsible for packaging the goods directly and thus subject to the ban on that packaging.

This ambiguity, and the extremely broad scope for interpretation and application it affords, is not conducive to the seamless introduction of the by-law by Council.

Should Council pursue this by-law, the ARA strongly urges it to consider redrafting the sections cited to ensure their application is confined to 'takeaway containers' only, as intended.

#### Consultation process

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<sup>1</sup> Revised RIS, ii

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The ARA has substantial concerns around the consultation process upon which the Revised Regulatory Impact Statement (including the cost impact on business) is based.

As the largest retail membership body – by far – in Australia, the ARA was not contacted in relation to this measure until the week preceding the closing date for submissions.

Reference is made to a face-to-face business survey. To our knowledge, ARA members in Hobart were not consulted as part of this process, and national members operating sites within the Council's jurisdiction were not approached at the corporate level required to give effect to any input.

We unaware of which specific businesses were involved in the consultation, and in any event note stated participation rates were very low (18.84% of businesses in the affected area, and just 15.91% of retailers).

Given the ARA and/or its members were not involved in the consultation, it is unclear as to how the quoted average annual change in takeaway packaging costs for each retail business (\$5.61) was calculated.

We reiterate that the ARA understands, appreciates and is acting on community sentiment regarding plastic packaging in partnership with governments across Australia.

However, it is important to note that voluntary online surveys such as 'Your Say Hobart' are based on self-selecting samples, do not constitute reliably methodological data, and may not accurately represent the community. In this case, 96% of respondents agreed a ban on single-use plastic takeaway items was desirable, but the total number of respondents (n=638) constitutes approximately 0.3% of Hobart's population.

There remains much to do, but the ARA and its members are committed to reducing the volume of single-use plastics in the environment.

We would welcome the opportunity to meet with Council, should you be similarly inclined, to discuss the matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read "R. Zimmerman", written over a light blue horizontal line.

**RUSSELL ZIMMERMAN**  
Executive Director

A handwritten signature in black ink, appearing to read "Yale Stephens", written over a light blue horizontal line.

**YALE STEPHENS**  
Head of Public Affairs

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**tasmanian conservation trust inc**

25 November 2019

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[coh@hobartcity.com.au](mailto:coh@hobartcity.com.au).

#### **Draft Single-Use Plastics By-law**

The Tasmanian Conservation Trust (TCT) welcomes the opportunity to make a submission to the Draft Single-Use Plastics By-law.

It is noted that the Draft Single-Use Plastics By-law proposes to prohibit a range of petrochemical based plastic takeaway packaging in retail shops in Hobart municipal area while retaining paper and card board packaging and allowing certain certified bioplastics. It is noted that the by-law applies to a range of non-packaging items that are commonly used with takeaway foods such as wooden stirring sticks, cup trays and boxes, serviettes and cutlery.

#### **Summary and over-arching recommendation**

While there are significant potential benefits from the by-law we have many concerns that appear to have not been addressed by the HCC.

The TCT's main concerns relate to the move to introduce the by-law in the absence of a strategy to support the regulatory approach and prepare for its rollout. There are many benefits from developing a strategy first and then introducing the regulation. The TCT recommends that the by-law not take effect until a number of actions have been implemented.

#### **Establishing a waste disposal pathway for bioplastics**

The information provided with the by-law says nothing about the practical problems of dealing with bioplastics and other compostable packaging. Has there been planning and budgeting for establishing disposal bins at shops? How will shops be supported to ensure appropriate separation of compostable takeaway packaging from other packaging? Is there a system in place for the collection and the transportation of compostable packaging to a compliant composting facility? Are there existing markets for the composted material?

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The by-law should be delayed until there is sufficient infrastructure, contracts and education programs in place to enable a clear pathway for compostable packaging from the customer to the composting operator and the buyer of the compost. The minimum requirements before the by-law takes effect are the following.

Food retailers throughout Hobart will need to provide disposal bins for compostable packaging and work with council, customers and staff to ensure adequate information is provided regarding separation of compostable packaging from other non-compostable packaging and other items. Bins may need to be provided in public places as well.

A reliable collection and transportation service needs to be contracted to collect the compostable packaging from designated disposal bins and take it to the composting facility. The community needs to be informed that this is in place.

The public needs to be informed that a compliant composting facility is contracted to receive and process the compostable packaging and it has contracts to on-sell it for compliant uses.

Without adequate planning, budgeting and infrastructure in place the proposed by-law may simply lead to the same or more takeaway packaging being sent to landfill or becoming litter.

**Bioplastics contaminating other plastic recycling streams**

I have been informed by a number of plastics recyclers that bioplastics are a very serious contaminant if mixed with petrochemical plastics. In not removed in the sorting process, bioplastics can weaken products made from recyclable plastics. Consumers will naturally think that bioplastics can be put into their recycling bin.

Part of the planning for introduction of the by-law will be to reduce the contamination by bioplastics of kerbside bins and other collection points for petrochemical plastics.

**Are bioplastics safe for use in gardens including for production of food plants**

From the information provided with the by-law it is not possible to determine whether the use of composted bioplastics is safe for use in gardens, in particular for use in producing edible plants. The by-law refers to bioplastics needing to comply with one of the identified standards and meet the definition of non-toxic. We are not told whether this means it is safe for food production?

If the HCC cannot explicitly confirm the safety of composted bioplastics in food production, then the community is justified in being concerned. The by-law should not be introduced until there is further research into the safety or otherwise of composted bioplastics for use in food production. Alternatively, the by-law could be amended to stipulate that composted bioplastics are only permitted for use on non-edible garden plants.

**Will littering rates be worse under the by-law?**

One of the undoubted advantages of bioplastics over petrochemical plastics is that they break down more quickly in the environment and this reduces the potential environmental impacts, in particular the risk of the ingestion by marine animals.

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However, some bioplastics can last months in the marine environment, plenty long enough to pose a risk to marine animals.

It is possible that some in the community may falsely think that littering with bioplastics is not a threat to marine animals and there may be an increase in litter rates. Marine animals can still be killed by bioplastics and any potential benefit from their shorter life span may be counteracted by there being more of it.

Clearly the HCC's litter education and enforcement programs need to be revised to prepare for the by-law and ensure that people are aware of the need to appropriately dispose of all bioplastic and other packaging.

**Preferring reusable over single-use and paper and card board over bioplastics**

The by-law proposes to allow reusable crockery, cutlery and long-life reusable plastic containers as well as single use paper, card board and bioplastics containers. However, from the information provided with the by-law it seems that HCC has not established a policy to preference reusable alternatives over permitted single-uses and paper and card board over bioplastics.

The by-law should be delayed until HCC's educational programs have been revised to encourage or provide incentives for use of preferred means of serving takeaway food. Bioplastics should be a last resort.

**Recycling replaced by composting – contrary to the waste management hierarchy**

The proposal to introduce bioplastics as a replacement for petrochemical plastics will have an impact, perhaps unintended, of replacing some potentially recyclable takeaway containers, such as those used for curries and similar meals, with bioplastics that will not be recycled but may be composted. This will reduce to some degree the resource being received by plastic recyclers via the kerbside bins.

All waste management must adhere to the waste hierarchy principle that dictates that waste should be treated using the least resource and energy input and produce the most valuable product. Recycling is higher on the waste hierarchy than composting and should be the preferable response.

The HCC needs to consider whether it is actually preferable to prohibit certain petrochemical plastic takeaway containers if they are currently being recycled. This is further supported by the fact that the curry type containers are widely used for none-takeaway applications. Perhaps it is possible to allow specific petrochemical container to be used for takeaways where they in high demand by recyclers.

Yours sincerely



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## **AFGC SUBMISSION**

### **HOBART CITY COUNCIL PROPOSED SINGLE USE PLASTICS BY-LAW**

29 November 2019

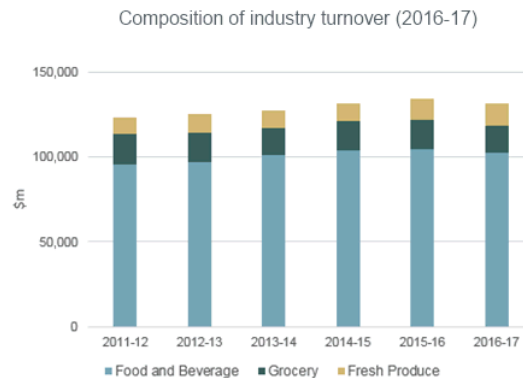
*Sustaining Australia*

AFGC SUBMISSION | November 2019

## PREFACE

The Australian Food and Grocery Council (AFGC) is the leading national organisation representing Australia's food, drink and grocery manufacturing industry.

There are over 180 member companies, subsidiaries and associates who together comprise 80 per cent of the gross dollar value of the processed food, beverage and grocery products sectors.



With an annual turnover in the 2016-17 financial year of \$131.3 billion, Australia's food and grocery manufacturing industry makes a substantial contribution to the Australian economy and is vital to the nation's future prosperity.

The diverse and sustainable industry is made up of over 36,086 businesses and accounts for over \$72.5 billion of the nation's international trade. These businesses range from some of the largest globally significant multinational companies to small and medium enterprises. Industry made \$2.9 billion in capital investment in 2016-17 on research and development.

Food, beverage and grocery manufacturing together forms Australia's largest manufacturing sector, representing 36 per cent of total manufacturing turnover in Australia.

The food and grocery manufacturing sector employs more than 324,450 Australians, representing almost 40 per cent of total manufacturing employment in Australia.

Many food manufacturing plants are located outside the metropolitan regions. The industry makes a large contribution to rural and regional Australia economies, with almost 42 per cent of the total persons employed being in rural and regional Australia.

It is essential to the economic and social development of Australia, and particularly rural and regional Australia, that the magnitude, significance and contribution of this industry is recognised and factored into the Government's economic, industrial and trade policies.



## AFGC COMMITMENTS

### COMMITMENT TO DEVELOPING A CIRCULAR ECONOMY

The Australian Food and Grocery Council (AFGC) believes the food and grocery industry's largest contribution to achieving a circular economy are reducing food waste and increasing packaging recycling within the municipal solid waste sector. To further increase diversion of waste from landfill, the AFGC will continue its collaborative working partnerships with the Commonwealth Department of Environment and Energy Food Waste Steering Committee, The Fight Food Waste Cooperative Research Centre, APCO and the waste and resource recovery industry with the aim of contributing to a local circular economy.

### COMMITMENT TO THE NATIONAL PACKAGING TARGETS

In recent months, many of our members have made commitments to the National Packaging Targets as well as New Plastics Economy Global Commitment<sup>1</sup> supporting the Ellen MacArthur Foundation (EMF) in collaboration with the United Nations Environment Programme. We believe this highlights the food and grocery industry's commitment to increased recyclability and recycled content of packaging to stimulate a circular economy. While these larger companies take a global leadership position we understand that not all local manufacturers have the product mix, financial capability or resources to move as quickly and this needs to be a consideration in the development of policy.

### COMMITMENT TO INCREASING LANDFILL DIVERSION

Further to supporting the development of a circular economy, food and grocery manufacturers have implemented strategies and action plans to increase the landfill diversion at manufacturing facilities across the nation. The results published in manufacturer Annual Sustainability Reports highlight companies are achieving national diversion rates up to 96.5<sup>2</sup> per cent, with many individual facilities achieving 100 per cent diversion in 2017.

### COMMITMENT TO PRODUCT SAFETY AND REDUCING FOOD WASTE

Members advise that a barrier to increasing the recycled content of packaging to create demand in a circular economy is partially due to a current lack of availability of fit for purpose food grade recycled packaging material. As recycled material has been exported to Asia for processing over the last 10-20 years, there are few remaining local packaging companies providing material with high recycled content. In short, demand for fit for purpose recycled packaging material currently exceeds supply and we believe investment in local secondary recycling processing should be prioritised over energy from waste (EfW) infrastructure to avoid recyclable material be used as fuel versus supplying a circular economy.

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<sup>1</sup> <http://www.packagingnews.com.au/sustainability/industry-giants-pledge-plastic-pollution-crackdown>

<sup>2</sup> Confidential information available upon request



## OVERVIEW

The Australian Food and Grocery Council (AFGC) welcomes the opportunity to provide feedback on Hobart City Council's proposed Single-Use Plastics By-Law. The AFGC is the leading national organisation representing Australia's food, drink and grocery manufacturing industry, comprising more than 180 member companies, subsidiaries and associates. Together, our member companies produce 80 per cent of the gross dollar value of the processed food, beverage and grocery products sectors. AFGC members include quick service restaurants, which will be particularly impacted by the proposed by-law.

The AFGC and brand owners recognise plastic packaging can negatively impact land and marine environments when not disposed of in a responsible manner. For this reason the AFGC and its members support the National Packaging Targets, including phasing out unnecessary and problematic single-use plastics packaging.

But, while we appreciate the objectives underpinning the by-law, the AFGC cautions that unintended consequences have the potential to negatively impact the environment and/or the community. For this reason the AFGC strongly recommends that Hobart City Council re-think the introduction of the by-law. However if the Council decides to continue with the by-law's introduction, the AFGC recommends the packaging and litter reduction initiative take into account the following considerations:

1. Ensure environmentally superior substitutes are available;
2. Food safety, product hygiene and consumer health and safety is not jeopardised; and
3. Food waste is not increased.

When designing packaging, the food and grocery industry is presented with a balancing act to ensure that the primary benefits of packaging – to ensure product stability, provide food safety and reduce food waste – are not outweighed by the effects of irresponsible disposal, littering and marine debris.

As an industry, we are committed to collaborating with all packaging stakeholders, from packaging suppliers, retailers, government, collectors to material recovery facilities and secondary processors, to reduce littering and simultaneously increase low recovery and recycling rates.

## RELEVANT FOOD AND GROCERY SECTOR ACTIVITY

The AFGC is collaborating with the Australian Packaging Covenant Organisation (APCO), Commonwealth and state and territory governments, and the packaging and waste industries, to reduce the use and impact of unnecessary and problematic single-use plastics.

AFGC member companies are committed to playing an important part through their commitments to the 2025 National Packaging Targets. These targets have been endorsed by the Meeting of Environment Ministers and included in the National Waste Policy Action Plan. The 2025 targets include:

- 100% reusable, recyclable or compostable packaging;
- 70% of plastic packaging being recycled or composted;
- 30% average recycled content included in packaging;
- The phase out of problematic and unnecessary single-use plastics packaging.

Food and Grocery companies are working hard towards achieving these targets including:

- As members of APCO, companies are collaborating to reduce the harmful impact of packaging. APCO's membership extends across organisational size and industry and enables "the sharing of best practice resources and strategies to improve packaging design, optimise waste management processes and reduce business costs relating to packaging waste"<sup>3</sup>.
- Many of our members have already commenced phasing out problematic and unnecessary single use plastics in their products and operations. Examples include major quick service restaurant chains phasing out expanded polystyrene in the 1990s and more recently, McDonalds, Nestle and Coca Cola have committed to phasing out plastic straws in support of the National Packaging Targets. Globally, Nestle have published a list of problematic plastics they have commenced phasing out of product packaging.
- Increasing demand for packaging that includes recycled content. For example Unilever has committed to halving its use of virgin plastics, Coca Cola has committed to a 100% recycled plastic content in 70% of its bottled by the end of 2019, Lion's Dairy Farmers Heritage milk bottle is already made with 50% recycled content, and is working towards 100% by 2020.
- Rolling out the Australian Recyclability Label on packaging to better guide consumers on what can be recycled.

As directed by Commonwealth, state and territory environment ministers and the Department of Environment and Energy, APCO is leading and facilitating industry action to address barriers and develop solutions to achieve the National Packaging Targets. Progress is well underway and of particular relevance to the Hobart City Council's focus, APCO has recently released the *Food Services Packaging Sustainability Guidelines* to help food service businesses achieve the best sustainability outcomes for their packaging.

As APCO acknowledged when releasing the guidelines: *"Food service businesses are facing unprecedented pressure and confusion, as they navigate not only the growing consumer backlash against problematic and single-use plastics, but also a rapidly changing marketplace that's inundated with new materials and disruptive models"*<sup>4</sup>.

In addition, the AFGC, in collaboration with; APCO, the National Retail Association and the Queensland Department of Environment and Science, is developing a project where a defined list of single-use plastics will be phased out of all fast food and take-away outlets in a regional town. This will measure the impacts on litter reduction, work through any in-store operational issues and assess community engagement and support.

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<sup>3</sup> <https://www.packagingcovenant.org.au/who-we-are/what-we-do>

<sup>4</sup> APCO Media Release 'APCO launches new Guidelines to improve sustainable food service packaging' 31 October 2019

## ISSUES

The AFGC is concerned that the proposed by-law will pose a number of implementation issues and potential unintended consequences as outlined below.

### LACK OF NATIONAL CONSISTENCY

Significant effort is being undertaken on a national basis to address the issue of problematic and unnecessary single-use plastics packaging and to support food service businesses to strive towards more sustainable packaging. As the Regulatory Impact Statement (RIS) notes, the by-law will impact on local food supply businesses as well as national quick service restaurants.

There are several barriers to achieving the National Packaging Targets, including the phase out of problematic and unnecessary single-use plastics packaging, and a national whole of supply chain approach and sufficient time is needed to develop the solutions to address these. The AFGC is collaborating with all stakeholders to actively drive the collaboration needed to address these barriers. APCO has established working groups, comprising Government, industry and other stakeholders, to address specific issues identified with phasing out problematic and unnecessary single plastics and to enable progress towards meeting the National Packaging Targets.

Given the momentum generated over the last 12 months in relation to the National Packaging Targets, including the phasing out of problematic and unnecessary single-use plastics packaging, it is extremely concerning Hobart City Council is proposing a by-law that is not aligned with the National Packaging Targets and has the potential to create unintended detrimental environmental consequences.

As the RIS states: *"As the City of Hobart is emphasising the removal of all plastic takeaway packaging, a 'compliant' food retailer would be prohibited from using recyclable plastic takeaway packaging. This sets a stricter standard than the APCO targets. ... If a food retailer has met APCO's target of using reusable, recyclable or compostable packaging, it will not be considered fully 'compliant' in the City of Hobart as they may still be using recyclable plastics"*<sup>5</sup>.

Given the progress towards sustainable packaging improvements being developed collaboratively on a national basis, the AFGC believes it is impractical for wholesale change to be made to meet the differing compliance requirements for one local council area. Instead, the AFGC recommends Hobart City Council consult with APCO and other jurisdictions as they develop their single use plastic legislation to ensure all legislation is compatible and contains similar items while meeting the objectives of the by-law. While we recognise and respect that each jurisdiction can legislate in their own right, it is the AFGC's belief that the greatest environmental outcomes will be achieved if all legislation is nationally compatible.

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<sup>5</sup> Hobart City Council 'Revised Regulatory Impact Statement: Single use Plastics By-law' October 2019 p. 20

## POTENTIAL UNINTENDED CONSEQUENCES

The key area where the Hobart City Council by-law differs from APCO and other jurisdictions is the omission of both definitions and the terms 'problematic' and 'unnecessary' single use plastics. Global initiatives such as the UK Plastics [Pact](#), and the Ellen MacArthur [New Plastics Economy](#) all focus exclusively on phasing out problematic and unnecessary single use plastics in order to avoid unintended consequences.

Caution must be exercised to ensure that when attempting to reduce the effects of litter, by altering packaging, perverse outcomes do not result. For example, transitioning to biodegradable plates may be beneficial to the environment when littered, however, when disposed of in a public place with no organics bins, either of the following perverse outcomes will occur:

- Disposal in the general waste bin: When a compostable plate is disposed of in a general waste bin and is then landfilled the plate will decompose over time, contributing to methane and greenhouse gas emissions.
- Disposal in the recycling bin: When a compostable plate is disposed of in a recycling bin, it has the potential to contaminate plastic recycling processes.

It is imperative substitutes for unnecessary and problematic single-use plastic items provide an overall environmental benefit. Therefore, the AFGC recommends a lifecycle assessment is undertaken on product substitutes to ensure they are actually environmentally beneficial. For example, the energy used to source and manufacture packaging materials varies widely and should be taken into account to mitigate against unintended negative environmental outcomes. Examples of potential perverse outcomes under the bylaw are detailed below:

- Increased carbon footprint of bottles: Many quick service restaurants serve post mix drinks to consumers in plastic lined paper cups. To be compliant with the new by-law, these will need to be replaced by prefilled bottles which have a higher carbon foot print than post mix drinks due to additional transport weight and additional primary and secondary packaging. Or alternatively quick service restaurants may consider using wax lined cups but it is unclear whether these are captured under the proposed by-law, nor whether they produce any improved environmental benefit.
- Reduced community access: As the aged care, health care and disability sectors of the community are reliant on plastic straws, their removal may negatively impact vulnerable community members. The proposed by-law does not appear to have given sufficient consideration to this issue.

## FOOD WASTE/FOOD SAFETY

Packaging plays an important role in maintaining product freshness, quality and safety, across many product and food types. The AFGC stresses the safety of the community cannot be compromised where fit-for-purpose substitutes are not available.

The superior air and moisture barrier properties provided by plastic packaging increase food quality and safety. Overall, this has led to improved community health outcomes that must be considered when selecting product/packaging substitutes to reduce the impact of irresponsible disposal.



APCO is currently conducting a review of sustainable alternatives to single-use plastics. This analysis will assess whether alternative packaging is fit for purpose (i.e. meets product freshness, quality and safety standards), is readily available to meet industry demand and does not impose an unrealistic additional cost burden on the community.

Fit for purpose packaging considerations relevant to food service, include that packaging must:

- Not buckle under heat, popping lid and allow in contaminants;
- Not buckle under heat, then leak and burn the consumer or staff;
- Not burn the consumer or staff through the material;
- Maintain heat to be fit for purpose and ensure consumer acceptance, ie, not served cold

### TIMING

It is unclear when the by-law may take effect, however, the AFGC notes the council resolution states that: *"Following the commencement of the by-law, penalties not be enforced until December 2020".*

This suggests food service businesses have 12 months or less to comply, which is unachievable given stock existing in the total supply chain (manufacturer, wholesalers and retailers) and the level of change required and the challenges associated with achieving such change. When implementing container deposit schemes states have provided participants with 24 months to ensure stock in supply chains are compliant and the AFGC recommends a similar period be considered by Hobart City Council.

### REGULATORY IMPACT STATEMENT

The RIS for the proposed by-law does not consider the role packaging plays in reducing food waste and providing food safety and quality, amongst other benefits. The food and grocery industry believes any proposed action to reduce packaging and litter and increase recycling rates needs to be assessed via a criteria-based community benefits test. Such a test would take into account the benefits of packaging, like those mentioned above.

Therefore, when addressing the objectives outlined in the by-law RIS, Hobart City Council needs to ensure environmentally superior product substitutes are available that do not inadvertently result in detrimental community and environmental outcomes, such as increasing food waste, increasing health risks or increasing carbon emissions.

The AFGC notes the number of assumptions included within the RIS in the absence of hard data. There are at least three main costs that need to be given further consideration by Hobart City Council when considering substituting single use plastic items. These include:

- Financial Cost:** Information gathered from AFGC members indicates many substitute products are available but at a higher cost. For example, the cost to replace plastic cutlery with bamboo substitutes on a national basis is estimated to be approximately \$30M per annum. Ultimately, this cost will be borne by the community and produce an inflationary effect.
- Availability:** As single-use product substitutes are identified, consistent supply needs to be assured. This could take several years to establish as Australian businesses will aim to make a

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national transition. Additionally, imported substitutes may be in short supply due to similar changes occurring across the globe.

- iii. **Collection Systems:** In the case of replacement single-use coffee cups, alternate collection systems may need to be implemented in a region. For example, both [Recycle Me](#) and [Simply Cups](#) offer unique coffee cup collection systems to provide source separated collections that enable recycling of coffee cups which will increase costs to industry and the community. However, under the current by-law, despite both systems solving the recycling issue, these schemes will be illegal in Hobart City Council due to the plastic content in the coffee cups.

#### OTHER

There are a number of technical elements and apparent inconsistencies within the by-law that require clarification before the AFGC can make further comment. We would be happy to detail these elements in subsequent communication.

#### CONCLUSION

The AFGC is supportive of phasing out problematic and unnecessary single use plastic items, however a national definition and product list is required to remove any ambiguity, ensure consistency and reduce the risk of unintended consequences for the community.

The AFGC urges the Hobart City Council to rethink the proposed by-law in order to allow reasonable time for the achievement of the National Packaging Targets and the completion of APCO projects focused on phasing out unnecessary and problematic single-use plastics. We firmly believe the greatest community benefit will be achieved if all key stakeholders collaborate and engage with other jurisdictions and APCO. This will allow for evidence-based, collaborative and consistent national solutions that can be implemented at all levels of government with the full support of industry.

HOBART CITY COUNCIL

SINGLE-USE PLASTICS BY-LAW

BY-LAW No. 1 of 2020

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## HOBART CITY COUNCIL

## SINGLE-USE PLASTICS BY-LAW

BY-LAW No. 1 of 2020

## PART 1 – PRELIMINARY

1. This by-law is made pursuant to section 145 of the Act for the purpose of preventing, so as to minimise environmental pollution and reduce litter, the provision by retailers of certain single-use plastic food packaging.
2. This by-law may be cited as the Single-Use Plastics By-law.
3. This by-law applies to the Hobart municipal area.

4. In this by-law:

**Act** means the *Local Government Act 1993*;

**authorised officer** means an employee of the Council authorised by the General Manager for the purposes of this by-law;

**barrier bag** means as defined in the *Plastic Shopping Bags Ban Act 2013*;

**compostable** means, when treated in an industrial composting facility, the following requirements are met:

- (a) 60% decomposition (aerobic) within 180 days;
- (b) 90% disintegration to less than 2mm in 84 days; and
- (c) is non-toxic;

**Council** means the Hobart City Council;

**food** means any substance or thing of a kind used, or represented as



being for use, for human consumption, including any substance which is consumed as a drink;

**food packaging** means any container which is used to carry food from a [retailer's](#) premises to the point where the food is consumed, and related items, including but not limited to:

- (a) tubs and lids;
- (b) cups and cup lids;
- (c) utensils, including cutlery, stirrers and straws; and
- (d) sachets or packets which provide single serves of condiments, including but not limited to soy sauce, wasabi, and tomato sauce;

**General Manager** means the General Manager of the Council appointed pursuant to section 61 of the Act;

**industrial composting facility** means a commercial scale facility which provides composting services at a minimum temperature of 55°C for at least 15 days (which may be non-consecutive) during the composting period;

[mobile structure means as defined in the Food Act 2003;](#)

**non-toxic** means that the following tests are satisfied:

- (a) *Plant germination test.* The germination rate and the plant biomass from a sample compost (using compost derived from the food packaging) shall be more than 90% of the germination rate and the plant biomass from a sample compost which does not contain the food packaging.
- (b) *Packaging composition test.* The food packaging will not exceed the following elemental limits: Zn 1400mg/kg, Cu 750 mg/kg, Ni 210 mg/kg, Cd 17 mg/kg, Pb 150 mg/kg, Hg 8.5mg/kg, Se 50mg/kg, As 20.5 mg/kg.

**person** means an individual, corporation or any other legal entity (other than the Crown);

**plastic** means a material made from, or comprising, organic polymers, whether plant extracts or of fossil fuel origin that contains large molecular weight organic polymeric substances as an essential ingredient, but does not include:

(a) plastic which is compostable; or

(a)(b) soft plastic;

**plastic shopping bag** means as defined in the *Plastic Shopping Bags Ban Act 2013*;

**premises** means as defined in the *Food Act 2003*;

**related entity** means as defined in the *Corporations Act 2001* (Cth);

**retailer** means a person who sells food to members of the public;

~~**retailer's premises** means the premises which is owned or occupied by a retailer;~~

**single-use, product** ~~in relation to a product~~, means a product designed or intended to be disposed of after one use that is not conceived, designed or placed on the market to accomplish, within its life span, multiple use by being returned to the retailer for refill or re-used for the same purpose for which it was conceived;

**soft plastic** means plastic which is flexible and may be shaped into a ball by hand, including bags, pouches, films and wraps.

## PART 2 – APPLICATION

5. This by-law applies where a retailer provides or sells food to be taken from the retailer's premises in food packaging.

6. This by-law does not apply to food in food packaging which is provided or sold to a retailer.

~~6.7.~~ This by-law does not apply where a retailer provides or sells food in food packaging where:

- (a) the food will be consumed at the retailer's premises; and
- (b) no food packaging is taken from the retailer's premises.

8. Clause 7 of this by-law does not apply to food provided or sold from a mobile structure.

~~7.9.~~ Except in relation to sachets or packets which provide single serves of condiments, this by-law does not apply to food which has been packaged by a person who is not the retailer, or a related entity of the retailer.

~~8.10.~~ This by-law does not apply to any food packaging which exceeds:

- (a) an area equivalent to A4 (210mm by 297mm); or
- (b) 1 litre in volume.

~~9.11.~~ This by-law does not apply to plastic shopping bags or barrier bags.

~~10.12.~~ This by-law does not apply where a retailer provides or sells food in food packaging where:

- (a) the food packaging has been provided by the person who is receiving the food from the retailer (the **customer**); and
- (b) the customer was not provided with the food packaging by the retailer, or a related entity of the retailer.

~~11.13.~~ This by-law does not apply to food packaging which has been certified, by the Australasian Bioplastics Association or a similar organisation, as complying with any of the following:

- (a) Australian Standard AS4736-2006 *Biodegradable plastics* –

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*Biodegradable plastics suitable for composting and other microbial treatment* (as amended by Amendment No. 1 published on 21 October 2009), by Standards Australia;

- (b) European Standard EN13432 *Requirements for packaging recoverable through composting and biodegradation - Test scheme and evaluation criteria for the final acceptance of packaging*; or
- (c) United States of American standard: D6400 *Standard Specification for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities*, published by ASTM International.

### PART 3 – PROVIDING PLASTICS

#### Plastic food packaging not to be provided

12,14. A retailer must not provide to a person any food packaging which is:

- (a) wholly or partly comprised of plastic; and
- (b) a single-use product.

Penalty: 82 penalty units

### PART 4 – PERMITS

#### Granting permits

15. A permit may be granted for any purpose under this by-law by:

- (a) the General Manager; or
- (b) any electronic method authorised by the General Manager, including via Council's website or an application operated by or on behalf of Council.

16. No provision of this by-law is to be construed as preventing the General Manager from referring any application for a permit to the Council.

**Applications**

17. Any application for a permit pursuant to this by-law is to be:
- (a) in accordance with any form approved by the General Manager;
  - (b) accompanied by the fee specified by the General Manager, if any;  
and
  - (c) where applicable, must be accompanied by the following:
    - (i) a statement in writing of the type of activity proposed to be undertaken by the applicant and the period in which it is proposed to be carried out;
    - (ii) a scaled drawing showing the location and extent of the proposed activity;
    - (iii) approvals from relevant authorities;
    - (iv) evidence of current public liability insurance or other relevant insurance; and
    - (v) such other information that the General Manager may reasonably require.
18. In deciding whether or not to grant a permit pursuant to this by-law, the General Manager may have regard to the following and any other relevant matters:
- (a) the type of activity proposed;
  - (b) the location of that activity;
  - (c) the impact of the proposed activity on public safety, the environment and amenity; and
  - (d) any comments made by any employee of the Council or by a police officer in relation to the application.

Permits

19. A permit granted under this by-law must be in writing and may be granted under such terms and conditions as the General Manager considers appropriate. Those conditions may include:
- (a) a restriction on the type of activity;
  - (b) a restriction on the period in which the activity may be carried out;
  - (c) the precautions to be observed while the activity is being carried out;
  - (d) the requirement for supervision or control of the activity;
  - (e) the record to be kept or notification to be given in relation to the any activity carried out pursuant to the permit;
  - (f) the payment of a bond to cover any damage to Council property or any cleaning required, or the provision of an indemnity to Council for any other loss or damage; or
  - (g) the acceptance of responsibility for any damage to or loss of Council property as a result of the activity.
20. The holder of a permit granted pursuant to this by-law must comply with the terms and conditions of the permit.

Penalty (unless otherwise specified): 1 penalty unit

Production of a permit

21. A permit holder is to produce the permit immediately when requested to do so by a police officer or an officer of the Council, and the holder of the permit must answer all questions which are reasonably necessary to establish that the person holds a permit in good faith.

Variation of permit conditions

22. The General Manager may vary the conditions of any permit if he or she considers it is appropriate to do so.
23. If the conditions of any permit are varied pursuant to clause 22, the General Manager must serve a notice in writing on the permit holder stating:
- (a) the conditions of the permit are varied; and
  - (b) the reason or reasons for the variation of the permit conditions.
24. The conditions of a permit will be varied from the date of service of the notice of the variation.

Cancellation of permits

25. The Council or the General Manager may cancel any permit if satisfied that:
- (a) a permit holder has breached any of Council's by-laws; or
  - (b) a permit holder has breached a term or condition of the permit.
26. If a permit is cancelled pursuant to clause 25, the General Manager must serve a notice in writing on the permit holder stating:
- (a) the permit is cancelled; and
  - (b) the reason or reasons for the cancellation.
27. Cancellation of any permit is effective from the date of service of the notice of the cancellation.
28. Nothing in this by-law is to be construed as preventing or prohibiting the Council from cancelling any permit if this is required due to the exercise or

intended exercise of any local government functions, powers, rights or duties by the Council.

#### Notices

29. For the purposes of clauses 23 and 26, a notice may be served in any of the following ways:

- (a) on the holder of the permit personally;
- (b) by ordinary post to the last known address of the permit holder; or
- (c) by notice being given in the public notice section of a newspaper circulating in the Hobart City Council municipal area.

30. The date of service of a notice will be:

- (a) if the holder of the permit was served by ordinary post, 3 business days from the date the notice was posted; or
- (b) if the notice was given in a newspaper, the date of the publication of that newspaper.

#### **PART 4.5 – INFRINGEMENT NOTICES**

13.31.        In this Part:

**specified offence** means an offence against the clause specified in Column 1 of the Schedule to this by-law.

14.32.        An authorised officer may issue an infringement notice to a person in respect of a specified offence and the penalty payable under the infringement notice for that offence is the penalty specified in Column 3 of the Schedule to this by-law.



~~15.33.~~ An authorised officer may:

- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
- (b) issue one infringement notice in respect of more than one specified offence.

~~16.34.~~ The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.

~~17.35.~~ A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:

- (a) pay the monetary penalty in full to the General Manager;
- (b) apply to the General Manager for withdrawal of the infringement notice;
- (c) apply to the General Manager for a variation of payment conditions; or
- (d) lodge with the General Manager a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.

~~18.36.~~ If a person who has been served with an infringement notice fails to take one or more of the actions required by clause ~~35~~<sup>17</sup> within the prescribed time, the infringement may be referred to the Director, Monetary Penalties.

~~19.37.~~ In addition to a penalty imposed in relation to a failure to comply with or a contravention of this by-law, any expense incurred by the Council in consequence of that failure or contravention is recoverable by the Council as a debt payable by the person so failing to comply or contravening.



13

**SCHEDULE**  
**INFRINGEMENT NOTICE OFFENCES**

1: CLAUSE	2: DESCRIPTION	3: PENALTY (penalty units)
<u>1412</u>	Providing plastic food packaging	<u>20.52</u>
<u>20</u>	<u>Breach of permit</u>	<u>0.251</u>

14

Certified that the provisions of this by-law are in accordance with the law by:

.....  
K.M. Abey  
Solicitor  
Dated .....  
At Hobart

Certified that this by-law is made in accordance with the *Local Government Act 1993* by:

.....  
N.D. HEATH  
General Manager  
Dated .....  
At Hobart

The common seal of the Hobart City Council was affixed on in the presence of:

.....  
H.J. SALISBURY  
Deputy General Manager  
Dated: .....

.....  
P.A. JACKSON  
Manager Legal & Governance  
Dated: .....

HOBART CITY COUNCIL

SINGLE-USE PLASTICS BY-LAW

BY-LAW No. 1 of 2020

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## HOBART CITY COUNCIL

## SINGLE-USE PLASTICS BY-LAW

BY-LAW No. 1 of 2020

## PART 1 – PRELIMINARY

1. This by-law is made pursuant to section 145 of the Act for the purpose of preventing, so as to minimise environmental pollution and reduce litter, the provision by retailers of certain single-use plastic food packaging.
2. This by-law may be cited as the Single-Use Plastics By-law.
3. This by-law applies to the Hobart municipal area.

4. In this by-law:

**Act** means the *Local Government Act 1993*;

**authorised officer** means an employee of the Council authorised by the General Manager for the purposes of this by-law;

**barrier bag** means as defined in the *Plastic Shopping Bags Ban Act 2013*;

**compostable** means, when treated in an industrial composting facility, the following requirements are met:

- (a) 60% decomposition (aerobic) within 180 days;
- (b) 90% disintegration to less than 2mm in 84 days; and
- (c) is non-toxic;

**Council** means the Hobart City Council;

**food** means any substance or thing of a kind used, or represented as

being for use, for human consumption, including any substance which is consumed as a drink;

**food packaging** means any container which is used to carry food from a premises to the point where the food is consumed, and related items, including but not limited to:

- (a) tubs and lids;
- (b) cups and cup lids;
- (c) utensils, including cutlery, stirrers and straws; and
- (d) sachets or packets which provide single serves of condiments, including but not limited to soy sauce, wasabi, and tomato sauce;

**General Manager** means the General Manager of the Council appointed pursuant to section 61 of the Act;

**industrial composting facility** means a commercial scale facility which provides composting services at a minimum temperature of 55°C for at least 15 days (which may be non-consecutive) during the composting period;

**mobile structure** means as defined in the *Food Act 2003*;

**non-toxic** means that the following tests are satisfied:

- (a) *Plant germination test*. The germination rate and the plant biomass from a sample compost (using compost derived from the food packaging) shall be more than 90% of the germination rate and the plant biomass from a sample compost which does not contain the food packaging.
- (b) *Packaging composition test*. The food packaging will not exceed the following elemental limits: Zn 1400mg/kg, Cu 750 mg/kg, Ni 210 mg/kg, Cd 17 mg/kg, Pb 150 mg/kg, Hg 8.5mg/kg, Se 50mg/kg, As 20.5 mg/kg.

**person** means an individual, corporation or any other legal entity (other than the Crown);

**plastic** means a material made from, or comprising, organic polymers, whether plant extracts or of fossil fuel origin, but does not include:

- (a) plastic which is compostable; or
- (b) soft plastic;

**plastic shopping bag** means as defined in the *Plastic Shopping Bags Ban Act 2013*;

**premises** means as defined in the *Food Act 2003*;

**related entity** means as defined in the *Corporations Act 2001* (Cth);

**retailer** means a person who sells food to members of the public;

**single-use**, in relation to a product, means a product designed or intended to be disposed of after one use;

**soft plastic** means plastic which is flexible and may be shaped into a ball by hand, including bags, pouches, films and wraps.

## PART 2 – APPLICATION

- 5. This by-law applies where a retailer provides or sells food to be taken from a premises in food packaging.
- 6. This by-law does not apply to food in food packaging which is provided or sold to a retailer.
- 7. This by-law does not apply where a retailer provides or sells food in food packaging where:
  - (a) the food will be consumed at that retailer's premises; and
  - (b) no food packaging is taken from that retailer's premises.
- 8. Clause 7 of this by-law does not apply to food provided or sold from a mobile structure.



9. Except in relation to sachets or packets which provide single serves of condiments, this by-law does not apply to food which has been packaged by a person who is not the retailer, or a related entity of the retailer.
10. This by-law does not apply to any food packaging which exceeds:
  - (a) an area equivalent to A4 (210mm by 297mm); or
  - (b) 1 litre in volume.
11. This by-law does not apply to plastic shopping bags or barrier bags.
12. This by-law does not apply where a retailer provides or sells food in food packaging where:
  - (a) the food packaging has been provided by the person who is receiving the food from the retailer (the **customer**); and
  - (b) the customer was not provided with the food packaging by the retailer, or a related entity of the retailer.
13. This by-law does not apply to food packaging which has been certified, by the Australasian Bioplastics Association or a similar organisation, as complying with any of the following:
  - (a) Australian Standard AS4736-2006 *Biodegradable plastics – Biodegradable plastics suitable for composting and other microbial treatment* (as amended by Amendment No. 1 published on 21 October 2009), by Standards Australia;
  - (b) European Standard EN13432 *Requirements for packaging recoverable through composting and biodegradation - Test scheme and evaluation criteria for the final acceptance of packaging*; or
  - (c) United States of American standard: D6400 *Standard Specification*

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*for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities*, published by ASTM International.

### **PART 3 – PROVIDING PLASTICS**

#### **Plastic food packaging not to be provided**

14. A retailer must not provide to a person any food packaging which is:
- (a) wholly or partly comprised of plastic; and
  - (b) a single-use product.

Penalty: 8 penalty units

### **PART 4 – PERMITS**

#### **Granting permits**

15. A permit may be granted for any purpose under this by-law by:
- (a) the General Manager; or
  - (b) any electronic method authorised by the General Manager, including via Council's website or an application operated by or on behalf of Council.
16. No provision of this by-law is to be construed as preventing the General Manager from referring any application for a permit to the Council.

#### **Applications**

17. Any application for a permit pursuant to this by-law is to be:
- (a) in accordance with any form approved by the General Manager;
  - (b) accompanied by the fee specified by the General Manager, if any;

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and

- (c) where applicable, must be accompanied by the following:
    - (i) a statement in writing of the type of activity proposed to be undertaken by the applicant and the period in which it is proposed to be carried out;
    - (ii) a scaled drawing showing the location and extent of the proposed activity;
    - (iii) approvals from relevant authorities;
    - (iv) evidence of current public liability insurance or other relevant insurance; and
    - (v) such other information that the General Manager may reasonably require.
18. In deciding whether or not to grant a permit pursuant to this by-law, the General Manager may have regard to the following and any other relevant matters:
- (a) the type of activity proposed;
  - (b) the location of that activity;
  - (c) the impact of the proposed activity on public safety, the environment and amenity; and
  - (d) any comments made by any employee of the Council or by a police officer in relation to the application.

**Permits**

19. A permit granted under this by-law must be in writing and may be granted under such terms and conditions as the General Manager considers appropriate. Those conditions may include:
- (a) a restriction on the type of activity;
  - (b) a restriction on the period in which the activity may be carried out;

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- (c) the precautions to be observed while the activity is being carried out;
  - (d) the requirement for supervision or control of the activity;
  - (e) the record to be kept or notification to be given in relation to the any activity carried out pursuant to the permit;
  - (f) the payment of a bond to cover any damage to Council property or any cleaning required, or the provision of an indemnity to Council for any other loss or damage; or
  - (g) the acceptance of responsibility for any damage to or loss of Council property as a result of the activity.
20. The holder of a permit granted pursuant to this by-law must comply with the terms and conditions of the permit.

Penalty (unless otherwise specified): 1 penalty unit

**Production of a permit**

21. A permit holder is to produce the permit immediately when requested to do so by a police officer or an officer of the Council, and the holder of the permit must answer all questions which are reasonably necessary to establish that the person holds a permit in good faith.

**Variation of permit conditions**

22. The General Manager may vary the conditions of any permit if he or she considers it is appropriate to do so.
23. If the conditions of any permit are varied pursuant to clause 22, the General Manager must serve a notice in writing on the permit holder stating:

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- (a) the conditions of the permit are varied; and
- (b) the reason or reasons for the variation of the permit conditions.

24. The conditions of a permit will be varied from the date of service of the notice of the variation.

**Cancellation of permits**

25. The Council or the General Manager may cancel any permit if satisfied that:

- (a) a permit holder has breached any of Council's by-laws; or
- (b) a permit holder has breached a term or condition of the permit.

26. If a permit is cancelled pursuant to clause 25, the General Manager must serve a notice in writing on the permit holder stating:

- (a) the permit is cancelled; and
- (b) the reason or reasons for the cancellation.

27. Cancellation of any permit is effective from the date of service of the notice of the cancellation.

28. Nothing in this by-law is to be construed as preventing or prohibiting the Council from cancelling any permit if this is required due to the exercise or intended exercise of any local government functions, powers, rights or duties by the Council.

**Notices**

29. For the purposes of clauses 23 and 26, a notice may be served in any of the following ways:

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- (a) on the holder of the permit personally;
  - (b) by ordinary post to the last known address of the permit holder; or
  - (c) by notice being given in the public notice section of a newspaper circulating in the Hobart City Council municipal area.
30. The date of service of a notice will be:
- (a) if the holder of the permit was served by ordinary post, 3 business days from the date the notice was posted; or
  - (b) if the notice was given in a newspaper, the date of the publication of that newspaper.

## PART 5 – INFRINGEMENT NOTICES

31. In this Part:
- specified offence** means an offence against the clause specified in Column 1 of the Schedule to this by-law.
32. An authorised officer may issue an infringement notice to a person in respect of a specified offence and the penalty payable under the infringement notice for that offence is the penalty specified in Column 3 of the Schedule to this by-law.
33. An authorised officer may:
- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
  - (b) issue one infringement notice in respect of more than one specified offence.

34. The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.
35. A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:
- (a) pay the monetary penalty in full to the General Manager;
  - (b) apply to the General Manager for withdrawal of the infringement notice;
  - (c) apply to the General Manager for a variation of payment conditions;  
or
  - (d) lodge with the General Manager a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.
36. If a person who has been served with an infringement notice fails to take one or more of the actions required by clause 35 within the prescribed time, the infringement may be referred to the Director, Monetary Penalties.
37. In addition to a penalty imposed in relation to a failure to comply with or a contravention of this by-law, any expense incurred by the Council in consequence of that failure or contravention is recoverable by the Council as a debt payable by the person so failing to comply or contravening.

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**SCHEDULE  
INFRINGEMENT NOTICE OFFENCES**

<b>1: CLAUSE</b>	<b>2: DESCRIPTION</b>	<b>3: PENALTY</b> (penalty units)
14	Providing plastic food packaging	2
20	Breach of permit	1



13

Certified that the provisions of this by-law are in accordance with the law by:

.....  
K.M. Abey  
Solicitor  
Dated .....  
At Hobart

Certified that this by-law is made in accordance with the *Local Government Act 1993* by:

.....  
N.D. HEATH  
General Manager  
Dated .....  
At Hobart

The common seal of the Hobart City Council was affixed on in the presence of:

.....  
H.J. SALISBURY  
Deputy General Manager  
Dated: .....

.....  
P.A. JACKSON  
Manager Legal & Governance  
Dated: .....

**6.2 Intersections and Traffic Flow**  
**File Ref: F19/129590**

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Report of the Senior Transport Engineer and the Director City Planning of  
21 February 2020.

Delegation: Council

**REPORT TITLE: INTERSECTIONS AND TRAFFIC FLOW****REPORT PROVIDED BY:** Senior Transport Engineer  
Director City Planning**1. Report Purpose and Community Benefit**

1.1. The purpose of this report is to respond to a notice of motion relating to improving traffic flow around the Hobart CBD and particularly in the central retail precinct.

1.1.1. The motion of the Council meeting of the 9 September, 2019 reads:

*“To improve traffic flow around the CBD and particularly in the central retail precinct, the City commence conversations with the Department of State Growth and provide a report investigating options for improved network operations including options for changed traffic signal operation (including consideration of “scrambled crossings”) at the Liverpool Street and Murray Street junction and other areas within the CBD.”*

**2. Report Summary**

2.1. The City of Hobart has, in its draft Transport Strategy, actions to create a suite of plans for the operation and management of the Hobart transportation network including a road user hierarchy policy, a central city network operating plan (NOP) (in collaboration with the Department of State Growth) and SmartRoads plan for local areas supporting local area traffic management, walking and cycling plans.

2.1.1. The Council motion is specific with respect to the question of traffic flow around the CBD and in particular the central retail precinct, changed traffic signal operation and the consideration of “scrambled(sic) crossings”

2.2. The City of Hobart has commenced the development of an Inner Hobart Network Operation plan (in collaboration with the Department of State Growth).

2.3. The initial work to support this network operating plan will be undertaken through a consultancy to be undertaken through the Department of State Growth.

2.4. This work, will assist in defining network operation and develop shared understanding around times and places where improvements for pedestrians may outweigh improvements for motor vehicle traffic through traffic signals (and vice versa).

- 2.5. In respect to the consideration of “scrambled crossings” within the CBD, such alternative pedestrian crossing arrangements can be considered within the Phase Two (Operations and Improvement Plans) of the NOP work.

### **3. Recommendation**

***That:***

- 1. The information contained in the report title Intersections and Traffic Flow be received and noted***
- 2. An elected member briefing be scheduled within the next 2 months from the inner Hobart Network Operation Plan Project Team.***
- 3. A further report on the progress of the inner Hobart Network Operation Plan (NOP) be provided at the appropriate time.***

### **4. Background**

- 4.1. The development of a network operation plan for the City of Hobart has been foreshadowed in the draft Transport Strategy.
- 4.1.1. There are a number of competing demands on the Hobart road network, including trip purposes, destinations being serviced, mode of travel and adjacent land use. Any decision to preference one aspect will generally be at the expense of another. Currently, operational decisions to preference one aspect over another are at times made on an ad hoc basis, and without a strategic rationale.
- 4.1.2. Further, decisions around projects that might impact the road network have at times been made without necessarily considering the opportunity for trade-offs e.g. adverse impacts to general traffic are often weighted more heavily than benefits to other user groups such as pedestrians, cyclists, public transport or freight. Furthermore impact on or from adjacent land use may not be adequately considered.
- 4.1.3. A Network Operation Plan (NOP) guides the operation and development of the road or transport network by setting out how competing priorities between transport modes and adjacent land uses are to be managed. The plan may also contain short-term initiatives and services that guide day-to-day operations and longer term improvement works.

- 4.1.4. City of Hobart officers have been collaborating with Department of State Growth to appoint consultants to undertake this work in stages.
- 4.1.5. The NOP will be jointly funded by both the City of Hobart and the Department of State Growth.
- 4.1.6. The development of the NOP will be in two phases:

Phase One (Network Operations Framework).

- 4.1.6.1. This phase will include consultation with various stakeholders, including elected members, to develop an aspirational road user hierarchy for different user groups, which may vary by time of day. This will also consider the balance between Movement and Place functions of different parts of the network.
- 4.1.6.2. This phase would set aspirational performance targets (Level of Service) for various user groups, modes, route types and times of day.

Phase Two (Operations and Improvement Plans).

- 4.1.6.3. This second phase would review current performance of the network in relation to the established performance targets.
- 4.1.6.4. This phase will nominate operational strategies that can be used to guide day to day management of the network, reflecting how current performance could be improved or downgraded in alignment with the established performance targets.
- 4.1.6.5. This phase will identify opportunities (projects) for improving Level of Service in accordance with the framework.
- 4.1.6.6. Potential projects will be identified at a concept level only, and include a high-level cost estimate.

4.2. Scramble Crossings

- 4.2.1. Scramble crossings are the term used to describe the operation of traffic and pedestrian signals where by all traffic is stopped and all pedestrian crossings happen at the one time. This is often referred to as an exclusive pedestrian phase.
- 4.2.2. A feature of such crossing arrangements is that pedestrians are generally permitted to cross the junction diagonally, reducing their need to cross streets in separate stages.

- 4.2.3. NSW Guidance for the warrants for installing signalised scramble crossings at intersections is available in section 2.6 of this publication.

<https://www.rms.nsw.gov.au/documents/business-industry/partners-and-suppliers/guidelines/complementary-traffic-material/tsdsect2v14-i.pdf>

- 4.2.4. Similar guidance is available in some other Australian jurisdictions.
- 4.2.5. Consideration of alternative pedestrian crossing arrangements (such as scramble crossings) can be considered within the Phase Two (Operations and Improvement Plans) of the NOP work.

## **5. Proposal and Implementation**

- 5.1. It is proposed that the City of Hobart continue to collaborate with the Department of State Growth to develop an Inner Hobart Network Operation plan.
- 5.2. The Department of State Growth has indicated considerable funding for the development of the NOP. A Council contribution has been agreed within the current 2019/20 budgetary allocation.

## **6. Strategic Planning and Policy Considerations**

- 6.1. Pillar 5: Movement and Connectivity of the City of Hobart, Capital City Strategic Plan (2019-29) has an outcome and action relating to this report.

### **Outcome 5.2**

Hobart has effective and environmentally sustainable transport systems.

### **Strategy 5.2.1**

With the Tasmanian government, review transport networks to ensure their integrated operation.

- 6.2. The development of a Network Operating Plan is an action in the City of Hobart's draft Transport Strategy.
- 6.3. It is considered that the development of an Inner Hobart Network Operation plan (in collaboration with the Department of State Growth) is supported by the Strategic Plan and the Draft Transport Strategy.
- 6.4. The development of the NOP will be a key piece of work which will strengthen and complement the development of the Central Hobart Precinct Plan.

**7. Financial Implications****7.1. Funding Source and Impact on Current Year Operating Result**

- 7.1.1. Funding is available in the 10 year Capital works program line item: "Implementation of Transport Strategy" to provide a contribution to the NOP project.

**7.2. Impact on Future Years' Financial Result**

- 7.2.1. At this time there is no identified impact on future years financial result, although the Phase Two NOP work, to identify operations and improvement plans (projects) may well have financial implications.

**7.3. Asset Related Implications**

- 7.3.1. The Phase Two NOP work, to identify operations and improvement plans (projects) may well have asset related implications, however, such implications will be determined and need to be agreed to by Council before any implementation.

**8. Legal, Risk and Legislative Considerations**

- 8.1. There are no known legal, risk or legislative considerations currently identified by the development of Phase One of a Network Operation Plan.

**9. Environmental Considerations**

- 9.1. Providing for the improved movement of active transport modes within a Network Operation Plan can provide improved environmental outcomes by reducing transport related vehicle emissions.

**10. Social and Customer Considerations**

- 10.1. The basis for the development of a Network Operating Plan is to provide the community and transport agencies (both Council and State Government) with a shared understanding and agreement on how best to manage the allocation of limited road space and movement priority across the central city road and junction transport network.

**11. Marketing and Media**

- 11.1. Marketing and media opportunities will be part of the stakeholder engagement process which would occur during the first half of 2020.

**12. Community and Stakeholder Engagement**

- 12.1. Community and stakeholder engagement would occur during the first half of 2020 during the Phase One NOP work.

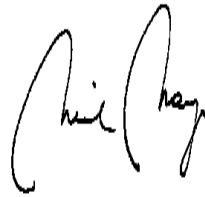
**13. Delegation**

- 13.1. The Delegation for this matter resides with the Director City Planning and the General Manager. Any subsequent adoption of operational and improvement plans to the network would need to be undertaken by the Council in collaboration with the Department of State Growth.

*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.*



Stuart Baird  
**SENIOR TRANSPORT ENGINEER**



Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 21 February 2020  
File Reference: F19/129590



**6.3 Brooke / Despard Streets - Congestion Reducing Initiative - Three-Month Trial**  
**File Ref: F20/19898**

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Report of the Senior Advisor Safety and Resilience, the Manager Community and Culture, the Acting Manager Traffic Engineering , the Director City Planning and the Director Community Life of 21 February 2020 and attachments.

Delegation: Council

**REPORT TITLE: BROOKE / DESPARD STREETS - CONGESTION  
REDUCING INITIATIVE - THREE-MONTH TRIAL**

**REPORT PROVIDED BY:** Senior Advisor Safety and Resilience  
Manager Community and Culture  
Acting Manager Traffic Engineering  
Director City Planning  
Director Community Life

**1. Report Purpose and Community Benefit**

- 1.1. This report outlines the issues of traffic congestion on Friday and Saturday nights in the Brooke/Despard Streets area and in Salamanca Place between Montpellier Retreat and the silo apartments and proposes a three-month trial of a congestion reduction initiative.
- 1.2. The proposed initiative aims to reduce the traffic congestion in the target areas, making the area safer for pedestrians and improving traffic flow for other road users; improve accessibility to the precinct for emergency services vehicles; and reduce associated noise from the traffic congestion to improve the amenity for accommodation service providers in the precinct.

**2. Report Summary**

- 2.1. For the past 15 months the City of Hobart has received ongoing complaints from local businesses and Tasmania Police regarding a range of issues within the waterfront precinct on Friday and Saturday nights.
- 2.2. These issues include: traffic congestion, public order (safety), noise pollution emanating from within licensed premises and the street, lighting at night in parts of the precinct, CCTV coverage and security guard presence away from the safe taxi rank.
- 2.3. The issue of public order offences, such as assaults, threatening behaviour and offensive behaviour including street urination by men and women and vomiting in the street have been the main focus of conversations with accommodation businesses in the precinct.
- 2.4. This report responds to the issue of traffic congestion alone. Other issues have been or are being responded to either by other Divisions within Council, Tasmania Police or the Department of Liquor and Gaming.
  - 2.4.1. The congestion is primarily caused by taxis and ride share vehicles competing for passengers in the precinct.

- 2.4.2. The congestion and ensuing aggressive behaviours pose a significant risk to all road users including pedestrians and severely reduces access to the area for emergency and service vehicles.
- 2.5. The Late Night Precinct Stakeholder (LNPS) group (including representation from Tasmania Police, Department of Treasury and Finance, Tasmanian Hospitality Association, Waterfront Business Community, Salvation Army Street Teams, 13CABS and security providers) was convened in December 2018 to consider this and other issues within the precinct. The group proposed a number of solutions for the City and other bodies to consider implementing.
- 2.5.1. A number of small scale measures have been initiated over the 15 months with the aim of changing the behaviour of drivers in the precinct, all of which have been largely unsuccessful.
- 2.6. The LNPS group, at their October 2019 meeting, proposed a trial of a number of more significant traffic management initiatives to be coordinated by the City. Officers held a meeting in November 2019 with Department of State Growth (Public Transport), Tasmania Police and taxi industry representative to discuss these initiatives. One of these proposals is for a three-month trial to be implemented from April to June 2020 including the following:
- Exclusion of taxis and ride share vehicles from Brooke Street between 11.00 pm and 5.00 am Friday and Saturday nights. With an exemption for Maxi Taxis for people with a disability;
  - Creation of a taxi holding zone in the car park of the Commonwealth Scientific and Industrial research Organisation (CSIRO);
  - Creation of a nominated parking/waiting location for ride share vehicles to use;
  - Creation of four pick up locations for ride share passengers and drivers with a geofence to restrict other pickup locations within the precinct.
- 2.7. This trial hopes to improve safety and visitor/tourist experiences staying at accommodation services in the area, without adversely impacting on other users of the precinct.
- 2.8. Officers have undertaken significant community engagement with businesses and residents across the precinct and communications continues to progress with all significant stakeholders. Feedback has shown strong support for these initiatives and the proposal has been altered in response to feedback to ensure minimal impact on businesses and residents within the area.

- 2.8.1. Ongoing monitoring by Officers throughout the trial will ensure that social and customer considerations are heard and responded to throughout as required.
- 2.8.2. The trial may be ceased at any point should there be any significant unintended negative consequences.
- 2.9. The permit to install temporary traffic management and to close the roads would be managed under existing officer delegations, and issued under Section 19(1)(b) of the *Local Government (Highways) Act 1982*. A qualified worksite traffic management provider would be engaged to undertake the works to ensure they are carried out in accordance with the State Growth Tasmanian Guide to Traffic Control for Works on Roads – June 2014.
- 2.10. The financial implications for a three-month trial would be \$17,483 which includes to installation of temporary traffic management facilities in Brooke Street at Morrison Street and an additional security guard to control taxi movement from the CSIRO car park.
- 2.11. If the trial was successful and there was consideration to continue this arrangement, at an ongoing cost of approximately \$70,000 per annum, funding opportunities including seeking a co-contribution from the State Government forms an important part of the recommendations.

### **3. Recommendation**

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

- 1. ***The Lord Mayor write to the State Treasurer seeking co-funding of this trial congestion reducing initiative and potential ongoing funding should the trial be successful.***
- 2. ***Approval be given to implement a three-month trial congestion reducing initiative that would:***
  - (i) ***Close Brooke Street at Morrison Street to taxi and rideshare vehicles on Friday and Saturday evenings from 11.00 pm to 5.00 am;***
  - (ii) ***Create a taxi holding area in the CSIRO car park in Castray Esplanade on Friday and Saturday evenings between 11.00 pm and 5.00 am;***
  - (iii) ***Create a nominated waiting location for ride share vehicles in Salamanca Place between Davey Street and Gladstone Street; and***
  - (iv) ***Create four pick-up locations for ride share passengers across the waterfront precinct.***

- 3. *Funding of \$17,483 to implement the three-month trial will be allocated to the Special Events Traffic Management budget allocation in the Traffic Strategy and Projects function area of the annual plan.***

**4. Background**

- 4.1. In late 2018 Tasmania Police approached Officers to raise concerns about taxi congestion in the Brooke / Despard Street area and in Salamanca Place as evidenced by body worn camera footage showing a large numbers of taxis double parked and blocking traffic in both locations.
- 4.1.1. Police advised that, whilst they had been undertaking enforcement, the situation consistently continued soon after they left the area.
- 4.1.2. At that time Tasmania Police asked the City of Hobart to restrict taxi access to both locations on Friday and Saturday nights through signage as they were concerned that emergency vehicles may have hindered access.
- 4.1.3. Officers sought to resolve the situation through engagement with the taxi industry including a number of providers and the Taxi Council (Southern). This has to date provided no reduction in congestion.
- 4.2. In December 2018 a number of accommodation providers made representations to the then State Treasurer, Mr. Peter Gutwein MP, about the impact on their businesses caused by late night entertainment activities in the waterfront precinct. The businesses spoke of a change in the behaviour of patrons leaving licensed premises in the precinct, particularly regarding a range of public order offences including assaults, offensive behaviour and threatening behaviour.
- 4.3. There was some media coverage generate by the Police Association of Tasmania calling for lock out laws to be implemented by the State Government after two of their members were assaulted in the precinct.
- 4.3.1. The Director City Planning attended a meeting convened by the Treasurer's office with affected businesses. The issues discussed were referred from that meeting to the City of Hobart to discuss further with stakeholders.

- 4.4. The City of Hobart convened the Late Night Precinct Stakeholders (LNPS) group with meetings in December 2018, March 2019 and August 2019 to consider the issues. Representation included Tasmania Police (Hobart Police (Uniform) and Liquor Licensing) Department of Treasury and Finance (Liquor and Gaming Branch), Tasmanian Hospitality Association, Waterfront Business Community, Salvation Army Street Teams, 13 Cabs, security providers, accommodation providers, licensed premises and various officers from across the City of Hobart.
- 4.4.1. The concerns raised by the group were wide ranging. The issue of traffic congestion caused by taxis and ride share vehicles in the Brooke / Despard Street area was highlighted as a significant concern.
- 4.5. A range of concerns raised by the group continue to be addressed by the City of Hobart, Tasmania Police and Liquor and Gaming through additional meetings in April, May and June with businesses in the area. This report focuses on the traffic management issues only and does not provide detail of other action taken.
- 4.6. It was agreed by the LNPS group that the City of Hobart would explore the creation of a temporary taxi rank in Morrison Street between Franklin Warf and Elizabeth Street on Friday and Saturday nights between 11pm and 7am to create a dedicated area for taxis away from the accommodation services.
- 4.6.1. This temporary taxi rank was established in early July 2019 with promotion of the rank undertaken by the Taxi Council (Southern) and City of Hobart.
- 4.6.2. Also in July 2019 upgrade works in the Salamanca precinct commenced which resulted in the partial closure of the taxi rank in Castray Esplanade. Officers consulted with a number taxi operators and designed a reconfigured temporary taxi rank on Friday and Saturday nights at the intersection of Morrison Street and Salamanca Place.
- 4.7. On October 3, 2019, the Inspector of Hobart Police Division, shown at **Attachment A** wrote to the City of Hobart requesting assistance to reduce taxi and ride share vehicle congestion in the waterfront precinct. His officers had raised with him their ongoing concerns about emergency vehicle access to the precinct and their ongoing frustration with the taxi industry whom they were repeatedly infringing to no effect. The Inspector requested signage to restrict entry to taxi and ride share vehicles in Brooke Street and Salamanca Place on Friday and Saturday evenings.

- 4.7.1. Observations undertaken by Council Officers in October confirmed the issues described by Tasmania Police and also noted additional risks, including the potential for collisions and physical altercations between ride share providers and taxis and alcohol affected pedestrians.
- 4.8. Officers met with the Department of State Growth (Passenger Transport Branch), taxi industry representatives and Tasmania Police on 4 November 2019 to explore options and develop a proposed solution.
  - 4.8.1. It was agreed that the current Salamanca precinct upgrade works and the upcoming Taste of Tasmania Festival made implementation of the proposals difficult and that exploration the components of the trial would be undertaken during proceeding period, including finding funding for a three-month trial to be undertaken in the new year.

## **5. Proposal and Implementation**

- 5.1. This trial proposes a number of actions that aim to:
  - Reduce traffic congestion in Salamanca Place and the Brooke/Despard Street area;
  - Reduce the impact of noise pollution associated with taxi and ride share vehicles on accommodation services and others within the waterfront precinct;
  - Reduce the risks to the community associated with traffic congestion;
  - Reduce the opportunity for conflict between taxi drivers and taxi and ride share drivers;
  - Create a level playing field for taxi and ride share drivers, and
  - Maintain accessible passenger services for the community in this area at night.
- 5.2. The trial will see the implementation of a number of initiatives over a three-month period from April to June 2020. It is important to note that there has been no ongoing funding identified beyond the trial period. It is intended during the trial period that additional funding mechanisms will be explored.

### **Exclusion of taxis and rideshare vehicles from Brooke Street**

- 5.3. The exclusion of taxis and ride share vehicles from Brooke Street on Friday and Saturday evenings between 11pm and 5am has been recommended by members of Tasmania Police, the Waterfront Business Community and by accommodation services within the area.

- 5.3.1. Tasmania Police have regularly called for this action through the LNPS meetings over the past 14 months, and more recently in a letter to the City of Hobart from the Inspector of the Hobart Division.
- 5.3.2. This recommendation is based on their stated inability to change taxi and ride share driver behaviour through enforcement of the *Taxi and Hire Vehicle Industries Act 2008*, *Traffic Act 1925* and *Road Rules 2019* alone.
- 5.3.3. Tasmania Police advice is that they and other emergency vehicles are severely restricted from entering this area due to the congestion caused by taxi and ride share vehicles competing for fares during the proposed closure times. They are concerned that that this restricted access will have an impact on emergency services vehicles ability to respond during an urgent or emergency situation.
- 5.4. The closure would involve the installation of a temporary boom gate across Brooke Street at the intersection with Morrison Street during the proposed closure times. The boom gate will be staffed by a single traffic controller who would allow access to vehicles as required, specifically to support accommodation providers. This includes access for people staying in accommodation in this area and for taxis or ride share vehicles dropping off or picking up passengers from accommodation services. See **Attachment B** for map of proposed closure location
  - 5.4.1. Allowing general public access to this area is considered necessary to reduce opportunities for crowds to gather on the Brooke and Despard Streets.

#### **Creation of a taxi holding zone in the CSIRO car park**

- 5.5. The creation of a taxi holding zone is a recommendation from members of the LNPS Meetings, including representatives from the taxi industry. This recommendation is aimed at creating compliance in the use of the two taxi ranks located in Castray Esplanade and Morrison Street, and refrain from double parking in Salamanca Place and Brooke/Despard Streets.
  - 5.5.1. It has been suggested that competition amongst taxi drivers and with ride share vehicles is causing some taxi drivers to bypass the taxi rank and double park in Salamanca Place and Brooke/Despard Street.



- 5.5.2. Parking and soliciting rides in this manner is an offence under Sections 21 and 91C of the *Taxi and Hire Vehicle Industries Act 2008*. Police have been enforcing through infringements, but advise that they are having little impact, advising that they are regularly booking the same drivers.
- 5.6. CSIRO have approved use of the car park for this purpose during the proposed hours of the trial. CSIRO have indicated in their agreement that the area must be kept clear of rubbish and that they reserve the right to withdraw support for the trial at any time.
  - 5.6.1. A security guard will be positioned at the head of the taxi form up area. The other deployed to the tail of the taxi rank. They will have direct radio contact with a security guard at the end of the taxi rank in Castray Esplanade and these two guards will co-ordinate the flow of taxis between the CSIRO car park and the end of the Castray rank.
  - 5.6.2. This will involve the redeployment of one of the two guards currently employed as part of the City of Hobart's safe taxi rank initiative from the head to the tail of the taxi rank. This does change the manner of the security coverage at the taxi rank, but is considered manageable.

**Creation of a nominated parking / waiting location for the use of rideshare vehicles**

- 5.7. Ride share vehicles will be encouraged to park and wait for rides in Salamanca Place between Davey Street and Gladstone Street. This will help to ensure that all taxi and ride share vehicles are treated equally and also to reduce congestion of ride share vehicles in Salamanca Place and Brooke/Despard Street area.
  - 5.7.1. The creation of this parking/waiting location was a recommendation of Tasmania Police, was endorsed by other members of LNPS group and is supported by ride share vehicle operators.
  - 5.7.2. It has been noted by Tasmania Police and Council Officers that currently a significant number of rideshare vehicles park close to the venues in Salamanca Place and in the Brooke / Despard Street area.
  - 5.7.3. It has been suggested that it is most likely the presence of the ride share vehicles in these locations that is causing taxi drivers to abandon the use of the taxi rank to park closer to likely fares. By removing ride share vehicles from the immediate proximity of the nightclubs it is hoped this will ensure compliance by taxi drivers to use the taxi rank

- 5.8. Rideshare companies have been very proactive in the development of this part of the initiative, agreeing to undertake communications with their drivers to assist them to understand why this measure will be implemented.
  - 5.8.1. Compliance by both taxis and ride share vehicles with all aspects of this initiative will be vital if the initiative is to succeed.
  - 5.8.2. Unlike the taxi holding zone there will be no need for a security guard to control the flow of ride share vehicles away from the parking / waiting zone.

#### **Creation of four pick up locations for ride share passengers and drivers**

- 5.9. It is proposed to develop four allocated pick up locations for ride share passengers in Salamanca Place on the Davey Street side of Montpellier Retreat, in Morrison Street outside the Harbour Lights Café at 29 Morrison Street, in Morrison Street outside the silo apartments and in Elizabeth Street near Franklin Warf.
  - 5.9.1. When a ride share passenger uses their relevant ride share app within the waterfront precinct they will be directed to the closest pick up location.
  - 5.9.2. Rideshare companies are happy with the locations chosen and have been proactive in assisting with the development of these areas through geofencing in the background of the app. A map of the geofencing can be found at **Attachment C**.
    - 5.9.2.1. When applying the geofence, care has been taken to ensure that residential areas are not impacted.
  - 5.9.3. In discussion with the ride share companies it has been decided that it is best to leave the areas permanently geofenced. There are two main reasons for this. The first is that the geofencing must be manually turned on and off by the companies, providing room for human error. The second is that having it permanently applied creates consistency for app users.
  - 5.9.4. It is important to note that advice from the Department of State Growth (Passenger Transport Branch) is that State legislation does not permit the City of Hobart to label specific zones for ride share vehicle use. As such, no signage will be erected and a communications plan will be vital when implementing this trial.

**Monitoring of the trial**

- 5.10. Council Officers will monitor the initiatives throughout the trial period to ensure that there are no unintended or unpredicted consequences from the implementation. Communication with the community, taxi and ride share companies, businesses within the precinct, Tasmania Police and others will remain open throughout the trial to ensure that issues can be readily identified and responded to.
- 5.11. The trial may be cancelled at any point should negative consequences occur.

**6. Strategic Planning and Policy Considerations**

- 6.1. This trial is aligned with the Capital City Strategic Plan 2019-29, specifically:
  - 2.4.5 Ensure that Hobart is a safe and liveable city by enhancing community and public safety and security, working in partnership with key stakeholders.
  - 4.3.2 Actively support and engage with local area businesses, business groups and other business networks.
  - 5.1.2 Consider social, environmental and economic elements in transport and technology decision-making.
  - 5.1.4 Ensure equal access is factored into transport and technology decision-making.
  - 5.2.1 With the Tasmanian government, review transport networks to ensure their integrated operation.
  - 5.2.4 Identify and implement infrastructure improvements to enhance access and road safety and reduce air and noise pollution.
- 6.2. This trial is aligned with the *Connected Hobart Smart City Action Plan's* Pillar 5 relating to movement and connectivity, specifically:  
  
CTR11: Connected and Actively Managed Transport Network.
- 6.3. City Innovation have been consulted in the development of this trial.

## **7. Financial Implications**

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

- 7.1.1. Specific funding for this trial was not factored into the 2019–20 financial planning noting that the issues in this area have escalated over the past several months. There is capacity to cover the cost of the trial within the Special Events Traffic Management budget allocation in the Traffic Strategy and Projects function area of the annual plan.

The total financial implication is \$17,482.80 (GST inclusive) for the three-month trial.

- 7.1.2. It is important to note this cost will not be sustained in the long term.
- 7.1.3. The most significant cost is the closure of Brooke Street to vehicles on Friday and Saturday nights from 11.00 pm to 5.00 am. The cost to maintain a temporary staffed boom gate for the three months of the trial is \$9,813.60. The traffic controller will set up and stay onsite and ensure that the temporary infrastructure is not damaged and that vehicles that need access to Brooke and Despard Streets are able to enter.
- 7.1.4. The cost would be the same if the traffic controller were set up at 11.00 pm, leave the site and return at 5.00 am to pack down.
- 7.1.5. The cost of providing an additional security guard at CSIRO to control the flow of traffic and ensure the safety of taxi drivers is \$7,669.20.
- 7.1.6. There may be additional costs associated with staff involved in the monitoring of the trial outside of normal work hours. These costs will be covered within the Community Life current operating budget.

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

- 7.2.1. Was the trial to be successful there would need to be an examination of other funding models for the initiative to be continued.

### **7.3. Asset Related Implications**

- 7.3.1. There are no asset related implications.

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

- 8.1. A risk assessment is being prepared for this trial.

- 8.2. State Government Legislation does not permit the creation of specific zones for ride share vehicles. Existing publicly accessible locations are being designated as the pickup points in co-operation with the ride share operators. Using publicly accessible locations is how the ride share vehicles currently operate, this initiative simply nominates those locations within the geofenced area.
- 8.3. It is anticipated that this trial will drive compliance with the *Taxi and Hire Vehicle Industries Act 2008*.
- 8.4. The permit to install temporary traffic management and to close the roads would be managed under existing officer delegations, and issued under Section 19(1)(b) of the *Local Government (Highways) Act 1982*. A qualified worksite traffic management provider would be engaged to undertake the works to ensure they are carried out in accordance with the State Growth Tasmanian Guide to Traffic Control for Works on Roads – June 2014.
- 8.5. It is considered that there is a reputational risk if the Council continues to not take any action in addressing the ongoing safety and social issues within the waterfront area.

## **9. Environmental Considerations**

- 9.1. Noise pollution from taxi and ride share vehicles in the Brooke / Despard Street area is a driving factor in this trial. Accommodation service providers have regularly provided to the City of Hobart copies of complaints from guests staying at their venues in this area. Removing both taxi and ride share vehicles to alternate locations away from this area should significantly reduce the amount of noise associated with these types of vehicles.
  - 9.1.1. It is important to note that noise pollution from within venues is another body of work being undertaken by Officers in the Environmental Health Unit and is not addressed in this trial.
- 9.2. The agreement with the CSIRO is that there is no rubbish left in their carpark from taxis. Discussions with the security provider will take place to ensure this does not occur.

## **10. Social and Customer Considerations**

- 10.1. This trial hopes to improve visitor / tourist experiences staying at accommodation services in the area, without adversely impacting on people visiting other businesses, such as licensed premises and restaurants across the waterfront precinct.
- 10.2. Care has been taken to consult with stakeholders and businesses to identify any unintentional consequences from the trial whilst ensuring that issues identified during the consultation process are addressed.

- 10.3. Ongoing monitoring by Officers throughout the trial will also ensure that social and customer considerations are heard and responded to throughout as required.

## **11. Marketing and Media**

- 11.1. A detailed communications strategy will be developed in the lead up to the trial. This will include the City of Hobart Communications Team, Department of State Growth (Passenger Transport Branch) as well as taxi and ride share industries to ensure drivers and potential passengers are aware of the trial.

## **12. Community and Stakeholder Engagement**

- 12.1. Lengthy stakeholder engagement has been undertaken by Community Life through the Late Night Precinct Stakeholder Meetings and through conciliation efforts with licensed premises and accommodation service providers.
- 12.2. Additionally the Community Engagement Unit undertook consultation through a mail out to businesses in the block Morrison, Elizabeth, Davey and Murray Streets. Businesses responded to the mail out via phone, email and through Survey Monkey. The responses were compiled into a detailed report from Community Engagement (**Attachment D**). The results of this report have influenced the development of the trial and this report.
  - 12.2.1. There was considerable support from businesses for the trial, provided that some limited access to the area is maintained. The inclusion of a staffed boom gate ensures this access.
- 12.3. The City of Hobart Access Advisory Committee was also consulted to ensure that the implementation of the trial did not impact adversely on people with a disability. It was as a result of this consultation that an agreement to provide an exemption to Maxi Taxis picking up a person with a disability in Salamanca Place between Montpellier Retreat the Silo Apartments was included.

**13. Delegation**

13.1. This is a matter for the Council's determination.

*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.*



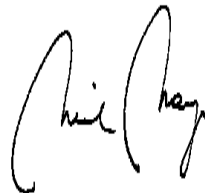
Scott Davis  
**SENIOR ADVISOR SAFETY AND  
RESILIENCE**



Kimbra Parker  
**MANAGER COMMUNITY AND  
CULTURE**



Owen Gervasoni  
**ACTING MANAGER TRAFFIC  
ENGINEERING**



Neil Noye  
**DIRECTOR CITY PLANNING**



Tim Short  
**DIRECTOR COMMUNITY LIFE**

Date: 21 February 2020  
File Reference: F20/19898

Attachment A: Request to HCC - Assistance with Taxi Congestion -  
Salamanca & Waterfront Precinct ↴  
Attachment B: Map of Road Closure - Brooke Street ↴  
Attachment C: Ride Share Pick Up Locations ↴  
Attachment D: Community Engagement Summary Report - Trial Closure of  
Brooke Street ↴

**SOUTHERN DISTRICT / HOBART DIVISION**

Our Ref: A19/192080  
Your Ref:

Inspector's Office  
Hobart Division

03/10/2019

Mr Scott Davis  
Community Development Officer  
Hobart City Council

**Assistance with Taxi Congestion – Salamanca & Waterfront Precinct**

Further to previous conversations and informal advice provided via e-mail including photographs, etc the Hobart Police Division, together with Southern Road & Public Order Services, formally requests the assistance of the Hobart City Council with taxi congestion issues in and around Salamanca, and the Hobart Waterfront Precinct.

I am aware that continuing roadworks in the area has contributed to the ongoing issues, but as indicated previously, it has now come to a situation where enforcement alone does not appear to be remedying the situation. My primary concerns are that at times and nights previously discussed emergency services vehicles are not able to freely access the area to attend to incidents within the precinct, due to the congestion caused by the taxis. Our officers continue to describe the congestion and double parking of taxis as chaotic.

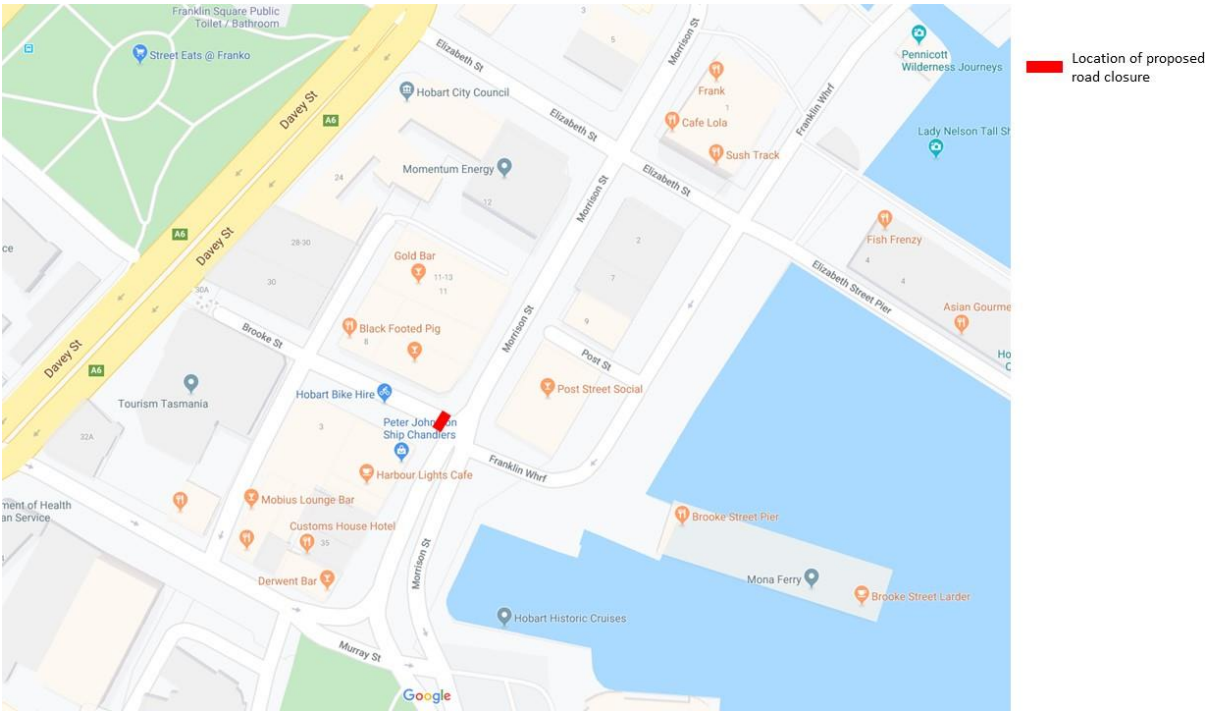
A number of options have previously been provided including movement of the 'rank' to position further up Salamanca Place, but as always members of Tasmania Police are more than happy to continue to work in partnership and discuss potential remedies to this situation.

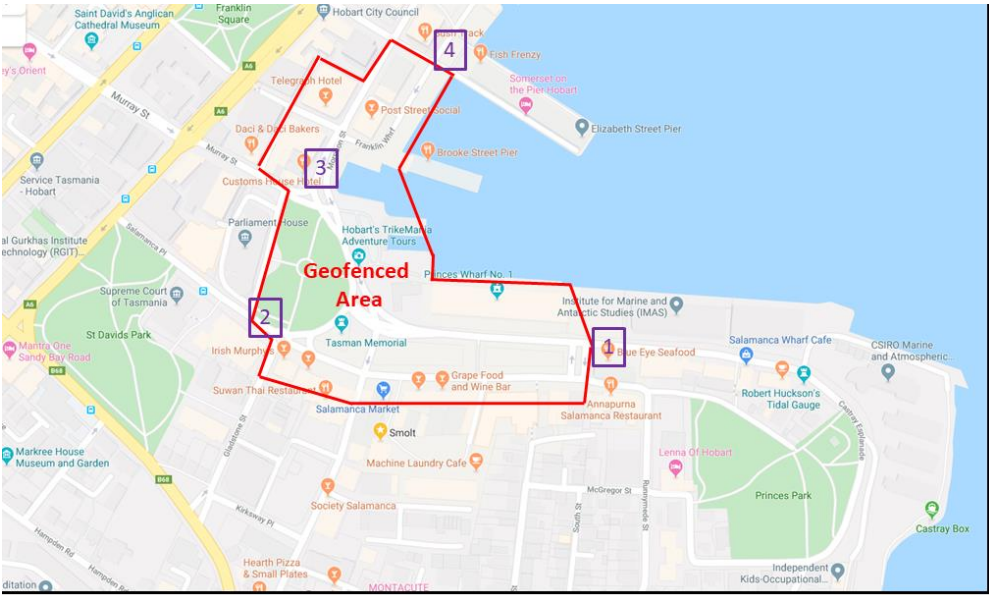
Thank you in anticipation of your assistance in this matter.

**L J Huxley**  
Divisional Inspector – Hobart

*cc. Inspector J G Ward*







1 Ride Share Pick Up Location

Distances:
Point 1 to Point 2 = 370 metres
Point 2 to Point 3 = 175 metres
Point 3 to Point 4 = 210 metres

Distances:
Hobart TrikeMania Tours to Point 1 = 283 metres
Hobart TrikeMania Tours to Point 2 = 170 metres
Hobart TrikeMania Tours to Point 3 = 82 metres
Hobart TrikeMania Tours to Point 4 = 305 metres

Distances:
Grape Bar to Point 1 = 195 metres
Grape Bar to Point 2 = 215 metres
Grape Bar to Point 3 = 315 metres
Grape Bar to Point 4 = 530 metres



## **Community Engagement Summary Report**

Trial Closure of Brooke Street  
Summer 2020



[yoursay.hobartcity.com.au](https://yoursay.hobartcity.com.au)

Prepared by



City of **HOBART**

### Project background

The City of Hobart received numerous complaints in relation to commercial passenger vehicle congestion on Brooke and Despard Street, Hobart. The nature of these complaints included:

- Access to Brooke and Despard Streets for emergency service vehicles
- Noise pollution from commercial passenger vehicles
- Noise pollution from waiting passengers

The City attempted to resolve the issue and alleviate congestion through communication with the commercial vehicle industry and police enforcement of road regulations. Unfortunately, despite these efforts, the issue remained unresolved.

Some initial consultation with business owners, Tasmanian Police, taxi industry and ride share operators resulted in the City developing a proposal for a trial closure of Brooke Street during the identified congested times. The trial was proposed to commence early 2020 and run for up to 3-months. The proposal included:

- Closure of Brooke Street at Morrison Street intersection to all vehicles from 10pm to 7am on Friday and Saturday evenings
- Continuation of temporary taxi rank on the eastern side of Morrison Street between Franklin Wharf and Elizabeth Street
- Working with ride share companies to identify designated locations for their vehicles to pick up passengers from outside of Brooke/Despard Streets

Under the proposal emergency vehicles were allowed access to Brooke Street via Despard Street and vehicles parked in either Brooke Street or Despard Street before 10pm on Friday and Saturday nights were still able to exit the area via Despard Street.

For exact locations of the proposed road closure, please Figure 1 below.



**Figure 1.** Map showing proposed road closures. Orange denotes road closure, red denotes temporary taxi rank.

The City sought feedback from key stakeholders in proximity to the Brooke Street Road closure trial, including businesses and property owners located in Elizabeth, Melville, Morrison, Murray, Despard, Brooke and Davey Street.

Business and property owners had a chance to determine their support for the proposed trial closure through an online survey. These stakeholders were notified that once the level of support had been determined, a more detailed timeframe for the trial would be established.

### Community Engagement Objectives

Following the noise complaints received from customers of accommodation services and other businesses in the area, the City undertook a period of community engagement aimed at:

- Determining the level of support for the proposed closure of Brooke Street, between 10pm and 7am, Friday and Saturday evenings.

The engagement was on the **consult** level on the IAP2 spectrum.

### How we engaged

#### *Letters to key stakeholders*

In November 2019, letters were sent directly to building owners and businesses located within close proximity to Brooke Street. Each letter contained an outline of the proposal, provided a link to the online survey and offered an opportunity to discuss the proposal further with the project manager, Scott Davis.

### Direct responses from key stakeholders

#### Phone conversations

Over the course of the survey, a phone call was made directly to the project manager by a resident living on Murray Street. In this phone call, the resident expressed his concern that the road closure would transfer taxi and rideshare vehicles on to Franklin Wharf and Brooke Street Pier. Furthermore, he mentioned the regular faeces deposits and safety concerns he had about the conflict occurring between taxi drivers. This call was categorised as being '*somewhat supportive*'.

#### Emails

Several business representatives made their level of support for the proposal known via email to the project manager. The majority of the emails demonstrated some level of support for the proposal but several concerns were raised, typically regarding access to properties. These key themes are captured in the 'What we heard' section of this report.

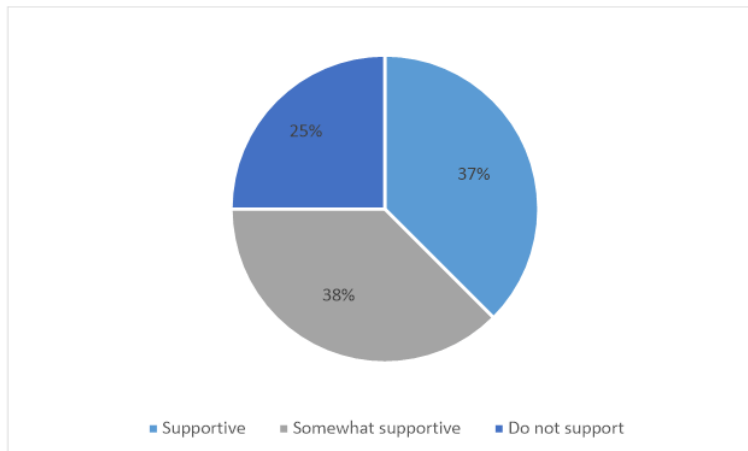
#### Online engagement

Included in the letter sent on 15 November was a link to an online survey. The survey required that participants indicate their level of support for the proposal by selecting a) I support the proposal, b) I am somewhat supportive but have questions or concerns, c) I do not support the proposal. Opportunity to provide comments was captured in the survey. A total of four submissions were made through the survey.

### What we heard – results of the community engagement

A total of 75% of respondents demonstrated a level of support for the Brooke Street closure trial. Of the submissions, 25% indicated they did not support the proposal.

For the breakdown of level of supportive, please see Figure 2.



**Figure 2.** Level of support determined from survey, email and phone submissions

Despite this support, several key themes for concern were identified in survey comments and direct correspondence with the project manager. These are captured in the tables below.



What we heard – key themes

Theme	Supportive
<b>What you said</b>	Could the City block only the inbound lane entering Brooke Street between 10pm and 7am so that local traffic and emergency vehicles can still access Brooke Street?
<b>Our response</b>	The current behaviour of taxi and ride share vehicles would suggest that they are likely to ignore partial road closures. The City believes it is necessary to implement full road closures to prevent access to these vehicles.
<b>What you said</b>	I think this proposal will have a significant impact on the amenity of the area by reducing traffic and noise issues from taxis and ride share vehicles. I want this trial to begin as soon as possible.
<b>Our response</b>	The City has a process for undertaking effective stakeholder engagement and due diligence. This process takes time but will ensure that the trial is the best outcome for the congestion and noise issue, whilst mitigating unintended consequences. The proposal commencement timing (January) will allow this process to be followed appropriately and effectively.

Theme	Somewhat supportive
<b>What you said</b>	I'm supportive but I want to know what the impact on my guests and staff accessing their accommodation and workplace will be.
<b>Our response</b>	The City of Hobart will continue to work with businesses on streets directly impacted by the road closure to ensure access to accommodation for guests and business staff is maintained throughout the trial. Continuous monitoring and engagement throughout the trial will occur. If the trial does not meet the intended outcomes, the City will cease the trial and explore other options.
<b>What you said</b>	I'm concerned the road closure will push the taxis and ride share vehicles on to Franklin Wharf and Brooke Street Pier.
<b>Our response</b>	The City is currently negotiating with taxi and ride share companies to create holding points away from the waterfront area to alleviate congestion of the waterfront area.
<b>What you said</b>	I want to know about the measures that will be put in place to ensure our guests, staff and residents will be able to access our car park during the closure times.
<b>Our response</b>	The City of Hobart will engage a contractor to provide the road closure. This will involve a boom gate along with a traffic controller who will ensure access to the area for those that require it.

Theme	Not supportive
<b>What you said</b>	This road closure will impact guest and staff access to our business. We have guests and staff who require access to parking in the closure area during the proposed trial.
<b>Our response</b>	The City of Hobart will continue to work with businesses on streets directly impacted by the road closure to ensure access to accommodation for guests and business staff is maintained throughout the trial.
<b>What you said</b>	The proposed closure will make the traffic congestion worse on Murray Street due to increased use by ride share companies and taxis using Murray

	Street as an alternative waiting area, which will impact our guests staying at our accommodation business.
<b>Our response</b>	<p>The City is currently negotiating with ride share and taxi companies separately:</p> <ul style="list-style-type: none"> <li>• A temporary taxi rank has been established on Morrison Street as an alternative waiting area for taxi companies. We are also exploring the option of having a designated taxi holding area away from the waterfront.</li> <li>• The City is negotiating with ride share companies to develop a holding area with an associated customer pick up point in the same vicinity.</li> </ul> <p>These negotiations should prevent taxis and rideshare companies seeking alternative waiting arrangements in areas that could cause secondary congestions issues.</p>
<b>What you said</b>	The noise pollution from Murray Street will increase due to ride share companies and taxis using Murray Street as an alternative waiting area.
<b>Our response</b>	<p>The road closure should have little or no consequence on noise pollution on Murray Street due to:</p> <ul style="list-style-type: none"> <li>• A temporary taxi rank has been established on Morrison Street as an alternative waiting area for taxi companies. We are also exploring the option of having a designated taxi holding area away from the waterfront.</li> <li>• The City is negotiating with ride share companies to develop a holding area with an associated customer pick up point in the same vicinity.</li> </ul>
<b>What you said</b>	We would like to see an increase in police presence to ensure ride share companies and taxis are remaining within their allocated areas.
<b>Our response</b>	The City is working with Tasmania Police however the allocation of police resourcing is the responsibility of Tasmania Police. The City understands that Tasmania Police have public safety responsibilities that extend beyond the waterfront.



**6.4 Hill Street - Assessment of the Wombat Crossing Trial**  
**File Ref: F19/135349; R0568**

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Report of the Acting Manager Traffic Engineering and the Director City Planning of 21 February 2020 and attachments.

Delegation: Council

**REPORT TITLE: HILL STREET - ASSESSMENT OF THE WOMBAT CROSSING TRIAL****REPORT PROVIDED BY:** Acting Manager Traffic Engineering  
Director City Planning**1. Report Purpose and Community Benefit**

- 1.1. This report is provided to update the Committee on the status of three current Council resolutions, relating to Local Area Traffic Management in West Hobart, the provision of a 'Wombat' style pedestrian crossing that has been recently trialed in Hill Street West Hobart and an existing 'zebra' crossing treatment on Creek Road.
- 1.2. This report also provides an update on the status of the implementation of 'zebra' style pedestrian crossings in the Salamanca Place precinct.

**2. Report Summary**

- 2.1. A local area traffic management treatment, involving the upgrading of pedestrian crossing points, the installation of bicycle lanes, and the installation of median treatments was installed on Hill Street between Arthur Street and Cavell Street in the second half of 2018.
- 2.2. In February 2019, a 'wombat' pedestrian crossing was implemented across Hill Street immediately north of the Pine Street roundabout.
- 2.3. A review of the performance of the 'wombat' crossing has been undertaken, along with community consultation.
- 2.4. It is recommended that the existing 'wombat' crossing on Hill Street immediately north of the Pine Street intersection be retained on a permanent basis.
- 2.5. It is also recommended that the provision of additional 'wombat' crossings on Hill Street at the Warwick Street and Patrick Street intersections be considered for funding in future years.
- 2.6. Following the review, it is recommended that a proposal to implement a 'wombat' pedestrian crossing at the existing 'zebra' pedestrian crossing on Creek Road near the Wellwood Street intersection not be proceeded with at this time.
- 2.7. In the coming year the City of Hobart will install additional 'zebra' crossing treatments in the Salamanca Precinct.

### 3. Recommendation

***That:***

1. ***The 'wombat' pedestrian crossing installed on Hill Street immediately north of the Pine Street intersection be retained as a permanent treatment.***
2. ***The the provision of additional 'wombat' pedestrian crossings on Hill Street at the Warwick Street and Patrick Street intersections be considered for funding in future years.***
3. ***That a proposal to implement a 'wombat' pedestrian crossing at the existing 'zebra' pedestrian crossing on Creek Road near the Wellwood Street intersection not be proceeded with at this time.***

### 4. Background

- 4.1. This report updates three existing Council resolutions as described below.
- 4.2. On 7 March 2016, the Hobart City Council considered a report on matters concerning Local Area Traffic Management on the Hill Street corridor in West Hobart. The Council resolved:

*"That: 1. The recommendations of the consultant report titled West Hobart Local Area Traffic Investigation – Final Report, marked as Attachment A to item 5 of the Open City Infrastructure Committee agenda of 24 February 2016, be supported in-principle and the following actions be undertaken:*

- (i) A workshop be convened with stakeholders in relation to the West Hobart pedestrian environment.*
- (ii) The Department of State Growth be requested to establish Statewide warrants for the installation of pedestrian crossings within Tasmania.*
- (iii) The Council write to the Department of State Growth requesting that consideration be given to the installation of an unsupervised children's crossing in Hill Street in the 40km/h zone near Caldew Park.*
- (iv) Median lanes and median islands be installed in Hill Street between Allison Street and Patrick Street and between Hamilton Street and Warwick Street, in 2016/2017 following the development of concept designs and community engagement.*
- (v) A review be undertaken following the installation of the median islands and pedestrian crossings in Hill Street.*

*(vi) Concept design development and consultation be undertaken with directly affected residents in 2016/2017 to provide more generous pedestrian crossings in Hill Street where refuge islands are already provided.*

*2. The West Hobart Resident Traffic Committee, Lansdowne Crescent Primary School, The Friends School, Taroona High School, Lawrenny Court, businesses along Hill Street and those people who participated in the consultation conducted by MRCagney, be advised of the Council's decision."*

4.2.1. These matters have been completed, with the exception of item (v) which is addressed in this report.

4.3. On 2 October 2017, the Hobart City Council considered a report providing more detail on a proposed treatment for the Hill Street corridor. The Council resolved:

*"That: 1. The revised concept design for pedestrian crossing points, median lane and bicycle lanes (marked as Attachment D to item 6.6 of the Open City Infrastructure Committee agenda of 20 September 2017) be implemented.*

*2. The Transport Commissioner be requested to consider a 40 km/h speed limit for Hill Street (between Molle Street and Arthur Street) following the implementation of this project.*

*3. The findings of the Midson Traffic Report (marked as Attachment C to item 6.6 of the Open City Infrastructure Committee agenda of 20 September 2017) be endorsed and the following recommendations be adopted:*

*(i) A trial implementation of a 'wombat' crossing across Hill Street (on the northern side of the Pine Street roundabout) be undertaken, subject to further consultation with directly impacted property owners, residents and businesses and all statutory advertising and approvals.*

*(ii) Results of the trial, including recommendations on the installation of two additional 'wombat' crossing in Hill Street (at both Warwick Street and Patrick Street), be the subject of a further report.*

*(iii) Further surveys of pedestrians and pedestrian types over a longer period (i.e. one school week) be done at the Patrick Street roundabout and the results forwarded to the Transport Commissioner for consideration of a children's crossing and adult crossing guard.*

*(iv) Traffic signals not be implemented at the Arthur Street / Hill Street or Patrick Street / Lansdowne Crescent / Hill Street intersections at this time.*

*4. The required funding for the installation of 'wombat' crossings at Warwick Street and Patrick Street (if not trialled) be listed*

*for consideration in the 2018-19 Annual Plan, with installation contingent on a successful trial and future resolution of Council.*

- 5. The Transport Commissioner be requested to provide assistance as may be required with the implementation of an awareness and education campaign regarding the use of 'wombat' crossings.*
- 6. Midson Traffic be requested to provide a briefing to the community on the outcomes of its report.*
- 7. A media release be issued by the Lord Mayor and the Chairman of the City Infrastructure Committee."*

4.3.1. This report addresses Part 3(i) and 3(ii) of this resolution.

- 4.4. On 7 May 2018, the Hobart City Council considered a report on the existing 'zebra' pedestrian crossing, and school crossing on Creek Road and Wellwood Street in the vicinity of the Lenah Valley Primary School. The Council resolved:

*"That: 1. Matters raised in the petition relating to the pedestrian (zebra) crossing in Creek Road and other road safety matters near Lenah Valley Primary School be received and noted.*

- 2. The changes to the 'zebra' crossing in Creek Road (implemented during January and February 2018) to improve street lighting and the linemarking at this crossing, be received and noted.*

- 3. The following recommendations to further improve the safety of the pedestrian (zebra crossing) on Creek Road, Lenah Valley be endorsed:*

*(a) Investigate and if feasible, list for consideration in the Capital Works Program the provision of a "continuous footpath" across the Wellwood Street intersection at Creek Road to improve pedestrian access to Lenah Valley Primary School;*

*(b) Officers continue to progress the City of Hobart Active Travel Report and Active Routes to School programs in the greater Hobart area (as per the Council resolution of 2 October 2017);*

*and;*

*(c) A 'wombat' crossing be considered for Creek Road, after the Hill Street trial has been assessed.*

4. *The Council write to the Road Safety Branch of the Department of State Growth requesting that consideration be given to the allocation of a second School Crossing Patrol Officer to be in attendance and assist with pedestrians using the 'zebra' crossing during peak times.*
5. *The organiser of the petition be advised of the Council's decision."*

- 4.4.1. A continuous footpath treatment across Wellwood Street has been funded, designed and constructed.
- 4.4.2. Part 3 (c) of the resolution will be addressed in this report.
- 4.5. In summary, this report aims to specifically address the following items.
  - 4.5.1. Details the outcome and evaluation of the median islands and pedestrian crossings in Hill Street which is in response to the 7 March 2016 Council meeting resolution 1 (v).
  - 4.5.2. Details the evaluation results of the trial installation of the 'wombat' crossing on Hill Street on the northern side of the Pine Street Roundabout and recommendation of additional 'wombat' crossings on Hill Street which is in response to the 2 October 2017 Council meeting resolution 3 (i) and 3(ii).
  - 4.5.3. Consideration of the converting of the existing at-grade 'zebra' crossing on Creek Road into a 'wombat' crossing (by essentially constructing a road hump at the location) which is in response to the 7 May 2018 Council meeting resolution 3(c).
  - 4.5.4. Provides an update on the status of the installation of 'zebra' pedestrian crossings in the Salamanca Place Precinct as part of the works currently being undertaken by the City of Hobart.

## **5. Proposal and Implementation**

### **Local Area Traffic Management on the Hill Street Corridor**

- 5.1. Following the Council resolution of 7 March 2016, consultation and detailed design was undertaken for the provision of a traffic management scheme along the Hill Street Corridor. The final design included the following elements:
  - 5.1.1. Provision of a pedestrian crossing treatment (incorporated with an upgraded bus waiting area) on Hill Street north of Hamilton Street;
  - 5.1.2. Provision of on-road bicycle lanes on Hill Street between Hamilton Street and Petty Street;

- 5.1.3. Provision of a 'wombat' raised pedestrian crossing on Hill Street immediately north of the Pine Street roundabout;
  - 5.1.4. Provision of a pedestrian crossing treatment on Hill Street south of Petty Street;
  - 5.1.5. Provision of a pedestrian crossing treatment on Hill Street south of Allison Street; and
  - 5.1.6. Upgrading of existing pedestrian crossing treatment on Hill Street north of Brisbane Street.
- 5.2. Figure 1 to Figure 4, below, show Hill Street following the completion of these works.



*Figure 1 – Hill Street Corridor LATM Works*



*Figure 2 – Hill Street Corridor LATM Works*





*Figure 3 – Hill Street Corridor LATM Works*



*Figure 4 – Hill Street Corridor LATM Works*

- 5.3. Following implementation of this treatment, no significant issues have been noted or observed with the treatment, and overall it has been well received by the community.
- 5.4. No further action is recommended at this time.
- 5.5. The main issues of concern have been associated with the 'wombat' crossing installation that was implemented soon after the overall treatment. That is discussed in the next section of this report.

#### Review of the Hill Street 'wombat' Crossing Trial

- 5.6. Following the Council resolution of 2 October 2017, the installation of a trial 'wombat' crossing (on Hill Street immediately north of the Pine Street Roundabout) was undertaken in conjunction with the implementation of the five pedestrian crossings, median lanes and uphill bicycle lanes (between Cavell Street and Hamilton Street).



- 5.7. The Statutory approval for the raised pedestrian treatment (road hump) was received from the Transport Commission on 30 May 2018, and the construction of the raised platform (road hump) that would form the 'wombat' crossing was completed in October 2018.
- 5.8. The installation of the 'zebra' crossing markings and 'zebra' crossing signage was completed in early February 2019.
- 5.9. The 'wombat' crossing facility is shown in Figure 5 to 7, below:



*Figure 5 – Hill Street 'Wombat' Crossing*



*Figure 6 – Hill Street 'Wombat' Crossing*



Figure 7 – Hill Street 'Wombat' Crossing

- 5.10. The City of Hobart engaged Midson Traffic to prepare an evaluation report which assessed the road safety, traffic volumes, pedestrian crossing volumes and speeds during pre-trial and for six month post-installation in the vicinity of the 'wombat' crossing. A copy of the report forms **Attachment A** to this report. A summary of findings of the evaluation is outlined below:

- 5.10.1. Crash data from the 11 June 2017 to 28 February 2019 indicated that no crashes were reported in the period leading up to the construction of the 'wombat' crossing. There were also no crashes recorded in the six months since the installation of the crossing. The report noted that *"whilst the analysis period following the installation of the 'wombat' crossing is considered to be too short to make any conclusion, the absence of crashes in the section where the 'wombat' crossing is located is considered to be a positive outcome"*.
- 5.10.2. An observational road safety analysis was undertaken of the pedestrian crossing. The conclusions of the analysis included that the 'wombat' crossing generally functioned as intended, with vehicles slowing on the approach to the crossing and vehicles giving way to pedestrians. Many pedestrians were observed to be hesitant to step onto the 'wombat' crossing when cars were approaching despite the changes in priority at the crossing (it was noted that this improved during later inspections). Motorists on the southern approach to the 'wombat' crossing appeared to be less aware of the crossing and this may be due to vegetation in the median island of the roundabout (again this was noted to improve during later inspections).

- 5.10.3. A requirement of the Australian Standards AS1742.10 is that adequate sight distance between approaching vehicles and pedestrians about to cross must be achieved. According to the report, no issues with the sight distance available were noted (with the exception of a suggestion to trim some vegetation in the roundabout centre island). It was also noted that warning signage has been installed to raise driver awareness of the 'zebra' crossing.
- 5.10.4. Traffic volumes were collected after the implementation of the 'wombat' crossing in February 2019 (summer), in May 2019 (autumn) and in August 2019 (winter) to get an understanding of the seasonal fluctuations and any changes following the installation of the 'wombat' crossing. The assessment of traffic volumes indicated that there is little variation between the pre-trial and the average for the three post trial surveys undertaken.
- 5.10.5. Speed surveys were undertaken at the same periods as the traffic volume survey. The data showed a higher initial overall 85<sup>th</sup> percentile speed reduction (from 45.8 km/h pre-installation to 41.4km/h post installation) immediately after the installation in February 2019. The later speed surveys in May 2019 (42.2 km/h 85<sup>th</sup> percentile speed) and August 2019 (41.9 km/h 85<sup>th</sup> percentile speed) showed a slightly reduced overall speed reduction.
- 5.10.6. The pedestrian movement survey was undertaken at the 'wombat' crossing as well as at a location about 50 metres north of the 'wombat' crossing and south (at the crossing point on the city side of the roundabout). The results showed an overall increase in pedestrians recorded crossing at the 'wombat' crossing site following its installation, with a decrease in pedestrian crossing volumes at the north and south of the crossing.
- 5.10.7. The pedestrian numbers consistently exceeded the minimum VicRoads requirements for the installation of 'wombat' Crossings in all surveys (minimum crossing volumes of 20 pedestrians per hour).
- 5.11. The speed data was collected approximately 17 metres north of the 'wombat' crossing location, at a point where the vehicle traffic lanes were reduced in width significantly during the installation of the Hill Street treatment. This reduction would also have had some impact on reducing vehicle speeds, but it is clear that the combination of the two treatments has resulted in a significant reduction in operating speeds on this section of Hill Street.

- 5.12. The summary table of pedestrian numbers recorded crossing Hill Street at the three locations, during the morning (8:15-9:15am) and afternoon (2:30-3:30pm) periods before and after installation, taken from the Midson report is repeated in Table 1, below:

		Pre-Trial WeekdayAv.		Post-Trial-1 Weekday Av.		Post-Trial-2 Weekday Av		Post-Trial-3 Weekday Av	
		AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	11	8	8	7	9	9	7	8
	Child	0	1	0	0	1	2	0	0
	School	5	4	0	2	3	6	2	6
	<b>TOTAL</b>	<b>16</b>	<b>13</b>	<b>8</b>	<b>9</b>	<b>13</b>	<b>16</b>	<b>9</b>	<b>14</b>
Wombat Crossing	Adult	19	23	25	21	31	23	29	24
	Child	2	4	9	11	5	4	1	0
	School	17	14	8	12	18	21	15	17
	<b>TOTAL</b>	<b>38</b>	<b>41</b>	<b>42</b>	<b>44</b>	<b>53</b>	<b>48</b>	<b>45</b>	<b>41</b>
North of Crossing	Adult	4	7	3	4	4	7	6	7
	Child	0	0	0	0	0	0	0	0
	School	2	1	0	0	0	0	0	0
	<b>TOTAL</b>	<b>6</b>	<b>8</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>6</b>	<b>7</b>

*Table 1 – Pedestrian Numbers Crossing Hill Street*

- 5.13. Overall the Midson's Traffic Report concluded that the 'wombat' Crossing Trial is a success and recommended that the crossing should be retained on a permanent basis.
- 5.14. Other recommendations from report included that vegetation on the central island of the roundabout needs to be trimmed to improve visibility to the pedestrian crossing for approaching motorists in particular on the southern approach. The report also recommended that the two further 'wombat' crossings (at Warwick Street and Patrick Street) as recommended in the original feasibility report should be installed as this would provide an overall traffic scheme that would improve driver awareness of the 'wombat' crossing facility.
- 5.15. In reviewing the report outcomes the following points are considered.
- 5.15.1. The period in which crash data was analysed post construction was only 8 months and as such it is difficult to draw comprehensive conclusions about the ongoing safety performance of the 'wombat' crossing.
- 5.15.2. The traffic volume data showed minimal variation between pre-trial and post-trial surveys. This indicates that no changes to motorists' behaviour or route diversion to local streets were made.
- 5.15.3. The speed surveys showed a reduction in operating speed (or the 85<sup>th</sup> percentile speed) of motorists of about 4.0 km/h. This speed reduction would be expected to improve road safety for all road users.

- 5.15.4. This speed reduction would be in part a result of the 'wombat' crossing installation, and in part a result of the narrowing of the vehicle lanes following the installation of bicycle lanes as a part of the project.
- 5.15.5. The pedestrian crossing volumes increased at the 'wombat' crossing and decreased north and south of the trial crossing which may be a sign that pedestrians are comfortable using the 'wombat' crossing.
- 5.16. Community consultation was undertaken during early December 2019 following the installation of the 'wombat' crossing with directly impacted property owners, residents, businesses and schools. The Community Engagement Summary Report forms **Attachment B** to this report. The results from the consultation are as follows:
  - 5.16.1. A total of 293 submissions (with 82% residents of West Hobart) were made through the Your Say Hobart online engagement portal.
  - 5.16.2. Out of total submissions, 55% of respondents were supportive of the 'wombat' crossing installed on Hill Street and 26% were somewhat supportive (supportive but with some concerns). 18% were not supportive and 0.5% were neutral on the subject.
  - 5.16.3. Out of the total submissions, 66% of respondents were supportive of additional 'wombat' crossings being installed at other locations on Hill Street with 19% somewhat supportive. 14% of respondents did not support additional 'wombat' crossings on Hill Street and 1% of respondents are neutral on the subject.
  - 5.16.4. 36% of the total submissions provided a negative comment in relation to the location of the 'wombat' crossing and its close proximity to the roundabout.
  - 5.16.5. Other related concerns were poor visibility of pedestrians (particularly children), drivers not slowing down or stopping to allow pedestrians to cross, poor signage on approaches to crossing, increased congestion within the roundabout and a lack of awareness or education of road rules concerning 'wombat' crossings.
  - 5.16.6. Of the 26% that were somewhat supportive of the 'wombat' crossing, the majority of concerns related to the location of the crossing and requested that the crossing be shifted further away from the roundabout.

- 5.17. The location of the 'wombat' crossing, immediately adjacent to the Pine Street roundabout, was carefully considered during the feasibility stage of the project. A number of factors such as the available sight distance, grade / cross fall issues, driveway impacts, and loss of parking were all considered in the decision on the location.
- 5.18. There are many areas of Hill Street that the gradients would prevent the installation of the road hump component of the crossing. For example on Hill Street, north of the Patrick Street / Lansdowne Crescent intersection did not meet the requirements for sight distance or gradient and therefore were not recommended.
- 5.19. The location adjacent to the Pine Street roundabout was one of the few locations where the treatment could be installed at a point where it would likely be used by the public.
- 5.20. Overall, based on the Midson Traffic evaluation data and the results of the community engagement, it can be concluded that the trial 'wombat' crossing is broadly supported by the community, has been a success and therefore can be retained as a permanent crossing.
- 5.21. It is therefore recommended that the existing 'wombat' crossing on Hill Street immediately north of the Pine Street intersection be retained on a permanent basis.
- 5.22. In relation to the support indicated from the community consultation (66% respondents) for additional 'wombat' crossings being installed on Hill Street, while the potential locations for additional 'wombat' crossings (at Warwick Street and Patrick Street) were not disclosed as part of the consultation, there would appear to be good public support for further treatments.
- 5.23. It is therefore recommended that the provision of additional 'wombat' crossings on Hill Street at the Warwick Street and Patrick Street intersections be considered for funding in future years.

#### Potential converting Creek Road 'Zebra' crossing to a 'Wombat' crossing

- 5.24. The Council resolution of 7 May 2018, on the pedestrian crossing facilities at Creek Road / Wellwood Street, included that the existing Creek Road 'zebra' crossing installation be considered for upgrading to a 'wombat' crossing following the Hill Street 'wombat' trial assessment.
- 5.25. The City of Hobart has in recent years reconstructed and improved the existing 'zebra' crossing facility on Creek Road. This facility is shown in Figure 8, below:





*Figure 8 – Upgraded Creek Road ‘Zebra’ Crossing*

- 5.26. Similarly, the City of Hobart has successfully sought funding through the State Government 2019-2020 Vulnerable Road Users Programme for the Wellwood Street continuous footpath upgrade at Creek Road, and the installation of this treatment has been completed in January 2020. This upgraded facility is shown in Figure 9, below:



*Figure 9 – Upgraded Wellwood Street Crossing at Creek Road*

- 5.27. While the trial evaluation indicates that there were no safety issues to date with the installation of the ‘wombat’ crossing, each site should be assessed based on their own road conditions and environment.
- 5.28. As part of the detailed design phase of the Wellwood Street project, an investigation was undertaken on the existing and post implementation stage of the stormwater flow paths to determine the possible impacts to Wellwood Street and Creek Road during a 1 in 10, 1 in 20 and 1 in 100 year stormwater event. This analysis included consideration of the existing ‘zebra’ crossing on Creek Road and identified that additional overland flows would increase the occurrence of total inundation of the ‘zebra’ crossing from a 1% AEP (the probability that the facility will be flooded each year) to a 10% AEP.

- 5.29. The further installation of a road hump at the Creek Road 'zebra' crossing would improve the visibility of the crossing in wet weather conditions, however, it would further exacerbate the stormwater issues at the site. If a road hump were to be installed at the 'zebra' crossing facility on Creek Road significant stormwater infrastructure upgrading would be required in association with these works.
- 5.30. Currently the 'zebra' crossing at Creek Road following the recent works (improvements to lighting and installation of kerb extensions) is operating at a satisfactory level of service. The expected high cost of the reconstruction of the site to form a 'wombat' crossing (likely in the order of \$100k due to the stormwater issues), would be considered to be of marginal benefit at this time.
- 5.31. It is therefore recommended that a proposal to implement a 'wombat' pedestrian crossing at the existing 'zebra' pedestrian crossing on Creek Road near the Wellwood Street intersection not be proceeded with at this time.

#### Current Status of the Installation of 'Zebra' Crossings in the Salamanca Precinct.

- 5.32. Currently the City of Hobart is in the process of constructing significant upgrades to pedestrian facilities in the Salamanca Precinct.
- 5.33. The most recent component of the works included the reconstruction of Castray Esplanade and Morrison / Gladstone Streets.
- 5.34. As part of those works, a 'zebra' crossing treatment was installed on Castray Esplanade east of Morrison Street – Gladstone Street in December 2019.
- 5.35. The 'zebra' crossing treatment is shown in Figure 10, below:



*Figure 10 – Upgraded Pedestrian Crossing on Castray Esplanade.*



- 5.36. In the coming months, City of Hobart will commence the 2020 stage of the Salamanca Pedestrian Upgrade project. As part of these works, further 'zebra' crossing installations are planned. Elected members may recall that the proposed design includes the installation of 'zebra' crossings on all three approaches to the intersection of Salamanca Place and Montpelier Retreat, and across Salamanca Place between the Parliament Lawns and the 'Irish Murphy's' corner. These four 'zebra' crossings are adjacent to intersections, and will have some similar constraints as the installation on Hill Street next to the Pine Street roundabout. The results of the trial on Hill Street are therefore encouraging for the success of the Salamanca installations.
- 5.37. It is currently scheduled that the 'zebra' crossing across Salamanca Place between the Parliament Lawns and the 'Irish Murphy's' corner will be the next treatment installed in July / August 2020, following completion of works in this section of Salamanca Place.
- 5.38. The location of this crossing point is shown in Figure 11, below:

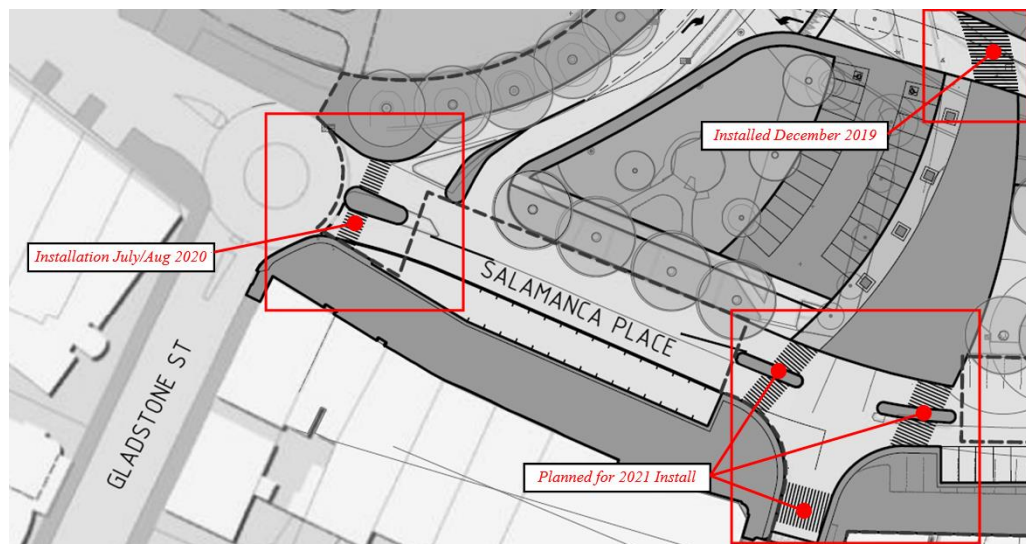


Figure 11 – Location for Upgraded Crossing on Salamanca Place.

## 6. Strategic Planning and Policy Considerations

- 6.1. The review of Local Area Traffic Management in Hill Street, West Hobart and the improvements to the 'zebra' crossing in Creek Road supports the Council's Capital City Strategic Plan 2015-2025 through Goal 2 – Urban Management
- 6.2. In particular, reference is made to its support through Strategic Objective 2.1 and its underpinning strategies, that is"

*"2.1 A fully accessible and connected city environment.*

*2.1.2 Enhance transport connections within Hobart.*

*2.1.3 Identify and implement infrastructure improvements to enhance road safety."*

## 7. Financial Implications

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

- 7.1.1. The cost of the installation of the 'wombat' crossing on Hill Street on the northern side of Pine Street roundabout was \$125K. This exceeded the original estimate due to the need to install additional storm water infrastructure.
- 7.1.2. The cost of the two additional 'wombat' crossings on Hill Street at Warwick Street and at Patrick Street, were they to proceed, would be expected to be in the order of \$90K for each crossing. This estimated cost includes street lighting upgrades and planned changes to storm water infrastructure.
- 7.1.3. The cost of upgrading the existing 'zebra' crossing on Creek Road to convert into a 'wombat' crossing by constructing a road hump is estimated to be in the order of \$100K, including significant storm water works as discussed in Clause 5.28 to 5.30.

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

- 7.2.1. The additional 'wombat' crossings on Hill Street and other crossings in the municipality would need to be planned and budgeted through the 5 year Capital Works program.

### 7.3. Asset Related Implications

- 7.3.1. The addition of new wombat crossings will increase the asset base and will therefore have a minor impact on the asset renewal allocation in future years.

## 8. Marketing and Media

- 8.1. The community engagement outcomes following the trial of the 'wombat' crossing indicates there will need to be additional awareness about the road rules associated with these 'wombat' crossings in associated with nearby roundabouts.

## 9. Community and Stakeholder Engagement

- 9.1. Community engagement has been undertake in relation to the trial of the 'wombat' crossings (see **Attachment B**) on Hill Street.
- 9.2. Community engagement will need to be undertaken for planned 'wombat' crossings and 'zebra' crossings in the area such as Salamanca Place near Gladstone Street and Montpelier Retreat.

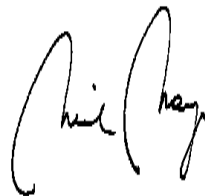
**10. Delegation**

10.1. This matter is delegated to the Council.

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



Owen Gervasoni  
**ACTING MANAGER TRAFFIC  
ENGINEERING**



Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 21 February 2020  
File Reference: F19/135349; R0568

Attachment A: Midson Traffic - Hill Street Wombat Crossing Trial - Traffic  
Evaluation Report - October 2019 ↓  
Attachment B: Hill Street Wombat Crossing - Community Engagement  
Summary Report - January 2020 ↓



**City of Hobart**  
**Hill Street Wombat Crossing Trial**  
**Traffic Evaluation Report**  
**October 2019**





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## 1. Introduction

### 1.1 Background

The City of Hobart have installed a Wombat Crossing in Hill Street, immediately west of the Pine Street/ Lansdowne Crescent roundabout.

The Hill Street Pedestrian Improvements Feasibility Review (Feasibility Study) prepared by Midson Traffic in August 2017 investigated the feasibility of installing various traffic management devices to improve pedestrian safety along the Hill Street corridor. One of the recommendations was the installation of three Wombat crossings in Hill Street. The trial of one Wombat crossing in Hill Street near the intersection of Pine Street/ Lansdowne Crescent was recommended by Council to ensure that the traffic management device was appropriate and safe for all users.

Midson Traffic were engaged by the City of Hobart to evaluate the trial installation of a Wombat Crossing in Hill Street (The Trial). This report documents the findings from pre and post installation traffic survey data. Two previous reports were prepared that presented the preliminary findings from the first post-installation traffic surveys.

This report documents the final findings associated with the Wombat Crossing Trial in Hill Street.

### 1.2 Wombat Crossings

Wombat crossings are a pedestrian zebra crossing placed on the raised flat surface of a road hump. Although similar to a flat-top road hump, wombat crossings give priority to pedestrians while flat-top road humps do not.

While wombat crossings may be installed at locations where there is a need to give pedestrians priority to safely cross the road, in the context of local area traffic management, they should always be installed as part of a whole of street treatment in a similar way that flat top road humps are installed.

### 1.3 Hill Street Wombat Crossing

The Trial Wombat Crossing was installed in February 2019. The Wombat Crossing was identified as one of three sites in Hill Street that met the warrants for installation in the Feasibility Study. The three identified Wombat Crossing sites were:

- Hill Street north of Pine Street/ Lansdowne Crescent (Trial site subject of this report)
- Hill Street south of Warwick Street
- Hill Street south of Patrick Street/ Lansdowne Crescent

The three identified Wombat Crossing sites are all located on the Hill Street corridor and therefore provide a traffic calming scheme in line with normal local area traffic management considerations. The spacing between the Wombat Crossings is 270 to 285 metres. Whilst this distance is greater than typical road



hump traffic calming scheme installations, the relatively steep slope of Hill Street between crossing locations precludes the installation of additional road humps. The installation of Wombat Crossings in these locations compliments the existing 40-km/h speed zoning near Caldew Park. It was originally intended that the Wombat Crossings would be installed as a traffic calming scheme rather than an isolated site. There are several sites in the Greater Hobart area where zebra crossings operate safely and effectively in isolation. These sites include:

- Channel Highway between Hutchins Street and Beach Road, Kingston; and
- Huon Highway south of Shield Street, Huonville.

The location of the three wombat crossings in relation to the roundabout was selected back from the holding line at all three locations. This location maximises safety for pedestrians by maximising sight distance and providing some separation between the holding line and the crossing location.

The Trial Wombat crossing is shown as viewed from the northern approach of Hill Street in Figure 1.





**Figure 1 Wombat Crossing Installation**



#### **1.4 Wombat Trial Methodology**

The Trial involves the following methodology:

- Road Safety Assessment. A road safety audit (RSA) was undertaken to identify any road safety deficiencies that may result in future crashes. Crash data was also analysed prior to the installation of the Wombat crossing and throughout the duration of the study.
- Pre-Installation traffic surveys. Traffic data was collected prior to the installation of the Wombat Crossing. This includes traffic volumes and vehicle speeds.



- Pre-installation pedestrian surveys. Pedestrian surveys were undertaken during school pick up and drop off times over a full week. Additional survey periods were also taken outside school peak periods, including three non-peak periods. Pedestrian surveys coincided with traffic surveys.
- General observational surveys. Pedestrian and traffic behaviour observations were noted in the vicinity of the Wombat crossing location.
- Post installation traffic and pedestrian surveys. Traffic and pedestrian surveys undertaken after the installation of the Wombat crossing. Three surveys were undertaken over a six month period to determine longer term trends associated with traffic and pedestrian activity.

## 1.5 Glossary of Terms

The key abbreviations used in this report are summarised in Table 1.

**Table 1 Glossary of Terms**

Abbreviation	Definition
AWDT	Average Weekday Daily Traffic – daily weekday traffic volume during survey period
AM	Morning Peak Period (8:00am to 9:00am)
km/h	Kilometres per hour
m	Metres
PM	Evening Peak Period (5:00-6:00pm, or 3:00-4:00pm as defined in some sections of this report)
Rd	Road
s	Seconds
vpd	Vehicles per day
vph	Vehicles per hour



## 2. Road Safety Assessment

A key success factor associated with the Wombat Crossing is its level of safety. The road safety assessment of the Wombat Crossing included a formal road safety audit, a review of available crash data, and consideration of safety concerns from road users.

### 2.1 Road Safety Audit

A 'Pre-Opening' stage Road Safety Audit (RSA) was undertaken along the full length of Hill Street. The RSA investigated the full pedestrian and cyclist improvement scheme along Hill Street, which included the Wombat Crossing.

Of relevance to this report, the RSA identified that low lying vegetation on the roundabout obscured vision of pedestrian on the Wombat Crossing from the Hill Street eastern approach. The RSA recommended removal of this vegetation. This is shown in Figure 2.

**Figure 2 Vegetation Obscuring Pedestrians on Wombat Crossing**





## 2.2 Crash Data Analysis

A detailed crash analysis was undertaken in the Hill Street Pedestrian Improvements Feasibility Review. The crash analysis in this report identified that in the 10.5 years from 1<sup>st</sup> January 2007 to 10<sup>th</sup> June 2017, a total of 6 crashes were reported in Hill Street between Arthur Street and Pine Street (not including crashes reported at the Arthur Street intersection). This included two crashes reported at the Pine Street/ Lansdowne Crescent roundabout during this time.

Crash data from 11<sup>th</sup> June 2017 to 28<sup>th</sup> February 2019 indicated that no crashes were reported between the Feasibility Report and the construction of the Wombat Crossing in the section of Hill Street between Arthur Street and Lansdowne Crescent/ Pine Street.

Crashes have been reported in other sections of Hill Street since the completion of the Feasibility Review Report. These crashes are detailed in Table 2 and the crash locations are shown in Figure 3.

**Table 2 Reported Crashes Since Feasibility Review**

	Day, Date, Time	Location	Details
Pre-Trial Crashes	Mon, 3 Sept 2018, 3:40PM	Arthur Street intersection	Right-near collision resulting in first aid at the scene.
	Fri, 9 Nov 2018, 10:50AM	Between Petty St and Warwick St	Vehicle-door collision resulting in property damage only.
	Wed, 19 Dec 2018, 7:40PM	Lansdowne Crs/ Patrick St roundabout	Cross-traffic collision resulting in property damage only.
Post-Trial Crashes	Tue, 9 Apr 2019, 4:25PM	Lansdowne Crs/ Patrick St roundabout	Leaving-parking collision resulting in property damage only.
	Thu, 30 May 2019, 8:37PM	Between Faraday St and Brisbane St	Other-maneuvring collision resulting in property damage only.
	Sun, 9 Jun 2019, 3:30PM	Between Warwick St and Allison St	Other-on-path collision resulting in property damage only.
	Tue, 25 Jun 2019, 5:20PM	Warwick St intersection	Rear-end collision resulting in property damage only.
	Thu, 15 Aug 2019, 3:45PM	Lansdowne Crs/ Patrick St roundabout	Rear-end collision resulting in property damage only.

The following key points are noted:

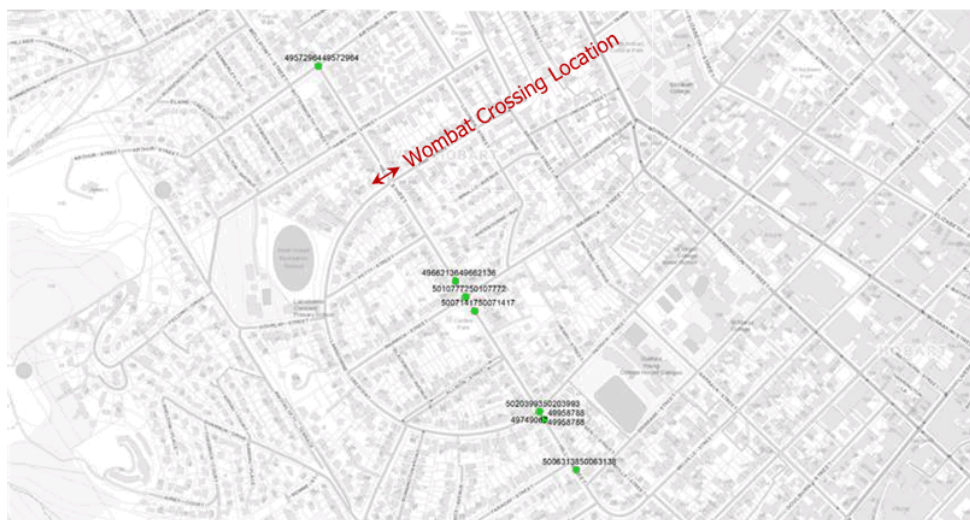
- No crashes were reported at the Wombat Crossing location. No crashes were reported in the section of Hill Street between Andrew Street and Lansdowne Crescent/ Pine Street.



- No crashes involved pedestrians.
- No crashes involved injury (only one crash involved first aid at the scene, the remainder involved property damage only).
- The majority of crashes were reported on weekdays (7 weekday crashes and 1 Sunday crash).
- The majority of crashes were between 7:00AM and 7:00PM (7 crashes).

Whilst the analysis period following the installation of the Wombat Crossing is considered to be too short to make any conclusions, the absence of crashes in the section of Hill Street where the Wombat Crossing is located is considered to be a positive outcome.

**Figure 3 Crash Locations**



Source: Department of State Growth





### 2.3 Observational Road Safety Analysis

Observations were made during the pedestrian surveys during the Pre-Trial and Post-Trial surveys. This included pedestrian and driver behaviour in the transport network near the Wombat Crossing.

Some key observations were noted:

- Generally, the Wombat Crossing functioned as it is intended, with vehicles slowing on the approach to the crossing and vehicles giving way to pedestrians.
- Many pedestrians were hesitant to step onto the Wombat Crossing when cars were approaching. Pedestrians appeared to be more confident during the Post-Trial-2 and Post-Trial-3 surveys compared to the Post-Trial-1 surveys.
- Vehicles on the southern approach of the Wombat Crossing appeared to be less aware of the crossing. This may be due to the low-lying vegetation on the central island of the roundabout partially obscuring visibility of the Wombat Crossing (as noted in Section 2.1). This appeared to be less of an issue during the Post-Trial-3 and Post-Trial-2 surveys compared to the Post-Trial-1 surveys.
- Some pedestrians were observed to stop half-way along the Wombat Crossing and allowed cars to travel over the crossing. This appeared to be less of an issue during the Post-Trial-3 and Post-Trial-2 surveys compared to the Post-Trial-1 surveys.
- No near misses were observed between vehicles and pedestrians using the Wombat Crossing.

### 2.4 Issues Raised by Community

Council have received correspondence from three individuals raising concern over the safety of the Wombat Crossing. These are reproduced in part in Table 12 in Appendix A.

The key issues raised are summarised as follows:

- Concern that vehicles do not give way to pedestrians on the Wombat Crossing.
- Concern that vehicles are not aware of the Wombat Crossing when entering Hill Street from the Lansdowne Crescent approach of the roundabout.
- Location of Wombat Crossing is not appropriate immediately adjacent to a roundabout.
- Witnessing collisions or near misses between vehicles negotiating the roundabout with vehicles stopped at the Wombat Crossing.

Whilst the issues raised are all valid concerns, each of the issues raised were within the first 3 months following the installation of the Wombat Crossing. Within this period, motorists were likely to be adjusting to the change of traffic conditions associated with the Wombat Crossing.



## 2.5 Assessment Against Design Standards

Australian Standards, AS1742.10, *Manual of Uniform Traffic Control Devices, Part 10: Pedestrian Control and Protection*, 2009, provides guidance for the installation of Zebra Pedestrian Crossings.

The purpose and safe operation of a Zebra crossing is defined in AS1742.10 as follows:

*"The purpose of the pedestrian crossing (zebra) is to time separate pedestrians and vehicular traffic by assigning priority to pedestrians using the crossings. The existence of a pedestrian on the crossing imposes a legal requirement on vehicular traffic to give way to the pedestrian."*

*Safe operation of a pedestrian crossing (zebra) is dependent upon the driver being able to see both a pedestrian on or about to use the crossing and the signs and markings associated with the crossing in time for the vehicle to be able to be stopped if necessary to give way to the pedestrian. This requires attention to the placement of the crossing if in the vicinity of curves, intersections or other roadway features likely to obstruct sight. It also requires that adequate sight distance be provided to pedestrians at or near the kerbside and about to use the crossing".*

AS1742.10 provides little technical guidance for the safe installation of zebra and wombat crossings. The Wombat Crossing design complies with the construction and line marking requirements of Australian Standard AS1742.10. AS1742.10 does not provide specific guidance for the installation of zebra or wombat crossings at approach legs of roundabouts, but does state that for 'other locations' (ie. locations that are not mid-block or slip lanes), that principles applicable to mid-block crossings are applied and that safety of pedestrians and other road users at these crossings is assessed as adequate.

Of relevance to the installation of wombat crossing subject of this report, it states that *"there shall be adequate sight distance between approaching vehicles and pedestrians about to use the crossing for the former to be able to stop in time to give way to the latter. This shall be achieved primarily by means of parking restrictions near the crossing. Kerb extensions may also be required to achieve this sight distance where kerbside parking is frequent"*.

The sight distance from each approach to the Wombat Crossing is summarised in Table 3. It is noted that warning signage has been installed on the Lansdowne Crescent, Pine Street and Hill Street southern approaches to the roundabout, as shown in Figure 4.

**Table 3 Sight Distance Summary**

Approach	Movement	Sight Distance	Comments
Hill St Northern approach	Straight	Unrestricted sight distance from this approach	High volume approach. Higher approach speeds than other approaches due to crossing being located prior to roundabout.
Hill St Southern approach	Straight	Partially restricted by low-lying vegetation on the central island of the roundabout.	High volume approach. Low speed due to roundabout.
Lansdowne Crs approach	Left turn	Good visibility on the approach to the roundabout. Unrestricted visibility from the holding line of the roundabout.	Motorists on this approach initially give way to traffic on the right. Low speed due to roundabout.
Pine St approach	Right turn	Unrestricted visibility from holding line of roundabout from this approach. Sight distance is also relevant from the circulating aisle of the roundabout and the low-lying vegetation partially restricts visibility from the aisle.	Motorists on this approach give way to the right and view the Wombat Crossing whilst doing so. This provides a pre-check of pedestrians on or approaching the crossing. Low speed due to roundabout.





Figure 4    Wombat Crossing Warning Signage





## 2.6 Road Safety Summary

The Wombat crossing is a relatively unusual installation in Tasmania. Whilst there are some existing examples of Wombat Crossings (such as Terry Street, Glenorchy), there are no known installations located immediately adjacent to a roundabout.

The Wombat Crossing has been installed to improve road safety for pedestrians crossing Hill Street. The Wombat Crossing provides priority to pedestrians crossing in close proximity to a roundabout. This introduces a change of priority of an existing conflict point at the roundabout and therefore has an associated crash risk. The Wombat Crossing has increased pedestrian movements at the crossing location, thus increasing pedestrian exposure, but likewise increasing motorist awareness of pedestrians at the crossing.

The Wombat Crossing also introduces a traffic calming element to the western leg of the intersection and therefore reduces vehicle speeds on the approach and departure of this leg of the roundabout. The reduction of vehicle speeds was clearly demonstrated through the speed analysis undertaken in Section 3.3 of this report. The reduction of speeds is considered to be a positive road safety outcome (reducing probability of crashes as well as the potential severity of crashes).

Warning signage has been installed on the Lansdowne Crescent, Pine Street and Hill Street southern approaches to the roundabout (as shown in Figure 4). This warning signage assists motorists to identify the presence of the Wombat Crossing from these approaches.

It is considered important that the low-lying vegetation located on the central island of the roundabout (as identified through the Road Safety Audit) be removed to improve visibility of the Wombat Crossing from the eastern approach of the roundabout.



### 3. Traffic Data Analysis

Traffic data and pedestrian data was collected over the following periods:

- Pre-Trial Monday 30<sup>th</sup> April 2018 to Friday 4<sup>th</sup> May 2018
- Post-Trial 1 Monday 11<sup>th</sup> February 2019 to Friday 15<sup>th</sup> February 2019
- Post-Trial 2 Monday 20<sup>th</sup> May 2019 to Friday 24<sup>th</sup> May 2019
- Post-Trial 3 Monday 5<sup>th</sup> August 2019 to Friday 9<sup>th</sup> August 2019

During Post-Trial Survey 1 it was noted that Monday 11<sup>th</sup> February was a public holiday. Whilst the data for this date is useful for the purposes of understanding traffic volumes on a public holiday, the analysis undertaken in this report excludes this date unless otherwise stated.

The traffic counter location is shown in Figure 5.

**Figure 5 Traffic Counter and Pedestrian Survey Location**





### 3.1 Traffic Volume Summary

Three 24 hour/ 5-day traffic surveys (weekdays) have been undertaken as outlined in Table 4.

**Table 4 Traffic Survey Data Collection Summary**

Survey	Date	Elapsed Time from Previous	Season
Pre-Trial	30 <sup>th</sup> Apr – 4 <sup>th</sup> May 2018	-	Autumn
Post-Trial 1	11 <sup>th</sup> Feb – 15 <sup>th</sup> Feb 2019	287 days from Pre-Trial (9.6 months)	Summer
Post-Trial 2	20 <sup>th</sup> May – 24 <sup>th</sup> May 2019	98 days from Post-Trial 1 (3.3 months) 385 days from Pre-Trial (12.8 months)	Autumn
Post-Trial 3	5 <sup>th</sup> August – 9 <sup>th</sup> August 2019	77 days from Post-Trial 2 (2.6 months) 462 days from Pre-Trial (15.2 months)	Winter

A comparison of the daily and peak hourly volumes is summarised in Table 5. It can be seen that the AWDT, AM and PM peaks were greatest for Post-Trial-1, but the afternoon school peak was greatest for the Post-Trial-2 survey. Traffic volumes during Post-Trial 3 dropped to levels consistent with Pre-Trial levels. The average daily traffic volumes ranged between 9,400 to 10,850 vehicles per day across each of the surveys.

The similarities between the Pre-Trial and Post-Trial-2 ADWT volumes indicates seasonal traffic flow effects of the Hill Street corridor. It was noted in the Preliminary Trial Evaluation Report that “*The increase in traffic between the two surveys [Pre-Trial and Post-Trial-1] is most likely attributed to seasonal variation and background traffic growth*”. Following the completion of the Post-Trial-2 and Post-Trial 3 surveys this appears to be the case, particularly with Post-Trial 3 survey having the lowest AWDT of all surveys.

**Table 5 Hourly Traffic Volumes**

Survey	AWDT	AM Peak	PM Peak	School Afternoon Peak
Pre-Trial	9,813 vpd	1,114 vph 8:00am - 9:00am	1,052 vph 5:00am - 6:00pm	946 vph 3:00pm - 4:00pm
Post-Trial 1	10,849 vpd	1,160 vph 8:00am - 9:00am	1,156 vph 5:00pm - 6:00pm	1,001 vph 3:00pm - 4:00pm
Post-Trial 2	9,668 vpd	1,010 vph 8:00am - 9:00am	1,061 vph 4:00pm - :500pm	1,035 vph 3:00pm - 4:00pm
Post-Trial 3	9,393 vpd	1,118 vph 8:00am - 9:00am	1,004 vph 5:00pm - 6:00pm	941 vph 3:00pm - 4:00pm





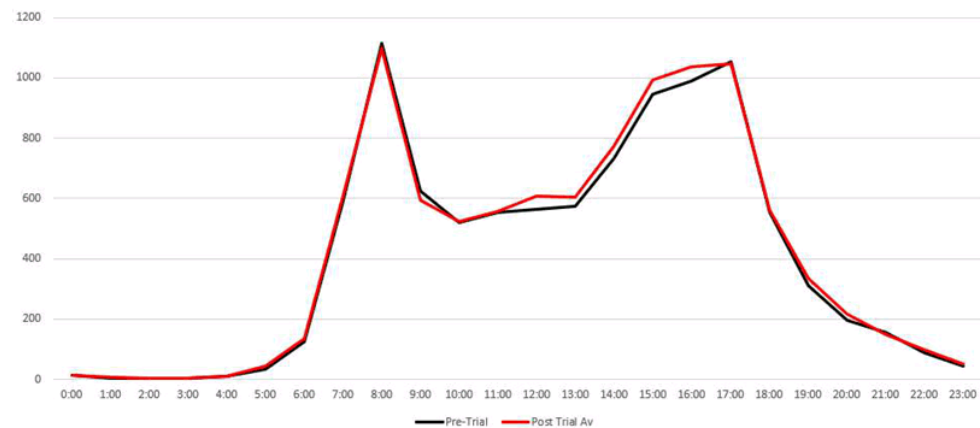
### 3.2 Hourly Traffic Volumes

A comparison of the hourly volumes during the traffic surveys is shown in Figure 6. A comparison of the Pre-Trial and average of all three Post-Trial surveys is shown in Figure 7. It can be seen that there is little variation of hourly traffic volumes between the Pre and Post Trial surveys.

**Figure 6 Hourly Traffic Volume Comparisons**



**Figure 7 Pre and Post Trial Hourly Traffic Volumes**





### 3.3 Vehicle Speed Analysis

A comparison of the speed data between the three surveys is summarised in Table 6. The variation of 85<sup>th</sup> percentile speed by hour of day is summarised in Table 6 and shown graphically in Figure 8.

It can be seen that all Post-Trial surveys have 85<sup>th</sup> percentile and average speeds lower than the Pre-Trial survey. All Post-Trial speed surveys were relatively consistent. Some key findings of the speed analysis are summarised as follows:

- The 85<sup>th</sup> percentile speed in the eastbound direction had the greatest reduction (6.2-km/h between Pre-Trial and average of all three Post-Trial surveys). Eastbound traffic is approaching the Wombat crossing unimpeded (as opposed to the westbound direction which must first negotiate roundabout). As a result, the eastbound flow commences the approach to the Wombat Crossing at a higher speed.
- Similarly, eastbound traffic flow had the greatest reduction in average speed (6.0-km/h between Pre-Trial and average of all three Post-Trial surveys).
- The 85<sup>th</sup> percentile speed combined for both directions reduced by 4.0-km/h between Pre-Trial and average of all three Post-Trial surveys.
- The average percentile speed combined for both directions reduced by 3.7-km/h between Pre-Trial and average of all three Post-Trial surveys.
- Post-Trial 1 had the lowest average and 85<sup>th</sup> percentile speeds of all surveys.
- The highest Post-Trial speeds were shared between Post-Trial 2 and Post-Trial 3.

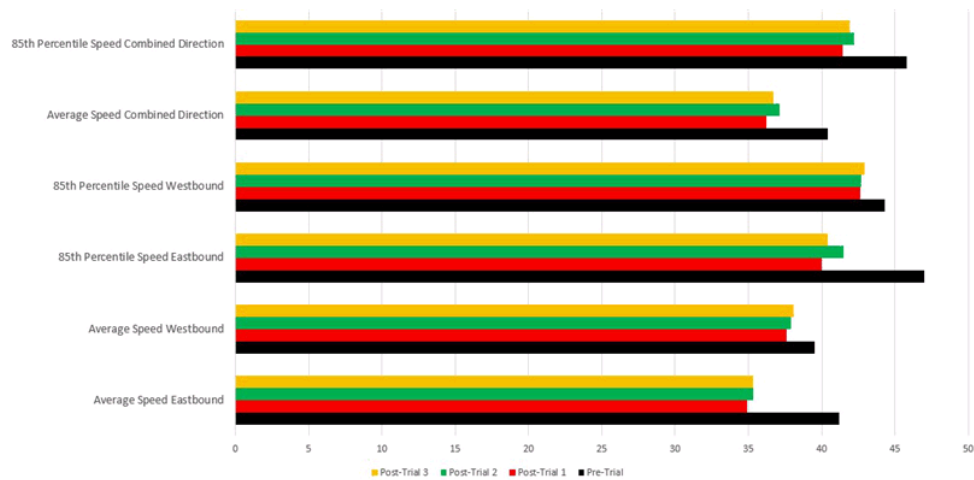
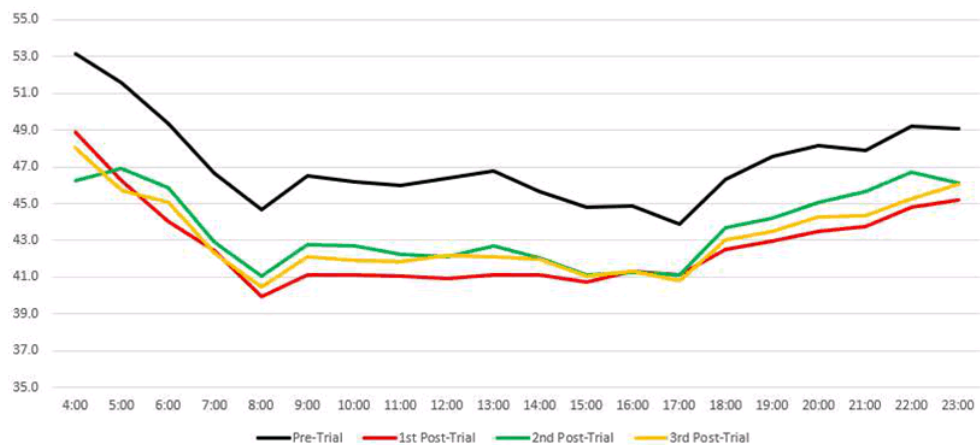
It can be seen that there was initially a higher speed reduction as a result of the installation of the Wombat Crossing. The speed reduction became less pronounced over time, but appeared to stabilise after a year of installation.

**Table 6 Speed Survey Comparisons**

Survey	Average Speed Eastbound	Average Speed Westbound	85 <sup>th</sup> Percentile Speed Eastbound	85 <sup>th</sup> Percentile Speed Westbound	Average Speed Combined Direction	85 <sup>th</sup> Percentile Speed Combined Direction
Pre-Trial	41.2-km/h	39.5-km/h	47.0-km/h	44.3-km/h	40.4-km/h	45.8-km/h
Post-Trial 1	34.9-km/h	37.6-km/h	40.0-km/h	42.6-km/h	36.2-km/h	41.4-km/h
Post-Trial 2	35.3-km/h	37.9-km/h	41.5-km/h	42.7-km/h	37.1-km/h	42.2-km/h
Post-Trial 3	35.3-km/h	40.4-km/h	40.8-km/h	42.9-km/h	36.7-km/h	41.9-km/h
Av Post-Trial	35.2-km/h	38.6-km/h	40.8-km/h	42.7-km/h	36.7-km/h	41.8-km/h



Max Post-Trial variation	0.4-km/h	2.8-km/h	1.5-km/h	0.3-km/h	0.9-km/h	0.8-km/h
Difference	6.0-km/h	0.9-km/h	6.2-km/h	1.6-km/h	3.7-km/h	4.0-km/h

**Figure 8 Speed Survey Comparisons****Figure 9 85<sup>th</sup> Percentile Speed by Hour (combined directions)**



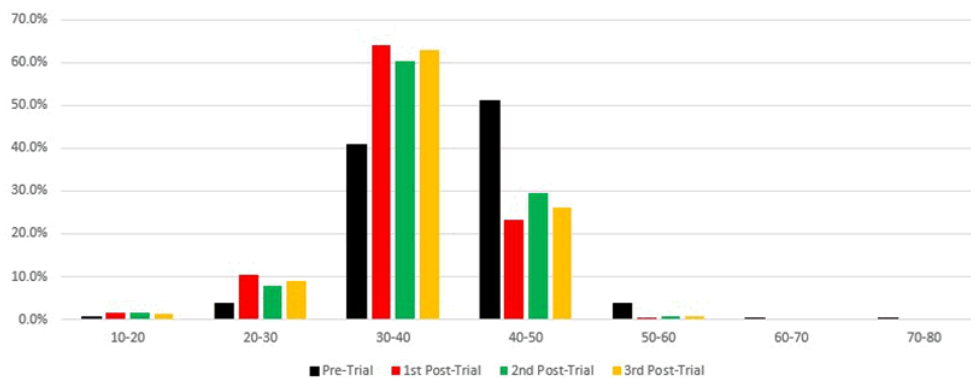
The variation of vehicle speeds between the before and after surveys is shown in Figure 10. It can be seen that the majority of vehicles were travelling between 40-km/h and 50-km/h before the Wombat Crossing installation, which reduced to 30-km/h to 40-km/h after the Wombat Crossing was installed for all Post-Trials. In general terms, the greatest reduction of vehicle speeds occurred during Post-Trial 1 surveys. The Post-Trial 2 surveys were generally the highest Post-Trial speed, and Post-Trial 3 was between Post-Trial 1 and Post-Trial 2.

All Post-Trial surveys had the lowest 85<sup>th</sup> percentile speeds during school periods (8:00am-9:00am and 3:00pm-4:00pm).

The range of speeds during each Trial is shown in Figure 10. It can be seen that there was a small proportion of vehicle speeds between 60-km/h and 80-km/h recorded during the Pre-Trial surveys that were not present in any of the Post-Trial surveys.

During the Pre-Trial survey, the dominant speed range was 40-50-km/h, which reduced to 30-40-km/h during all three Post-Trial surveys.

**Figure 10 Speed Range Comparisons**







## 4. Pedestrian Analysis

### 4.1 Survey Methodology

Pedestrian movements were recorded for one hour during each peak period. The school peak (corresponding to the greatest movement of school children) was found to be 8:15 – 9:15am and 2:30 – 3:30pm each weekday.

Pre-installation surveys were undertaken from Monday 30<sup>th</sup> April to Friday 4<sup>th</sup> May 2018. Post-installation surveys were undertaken from Tuesday 12<sup>th</sup> February to Friday 15<sup>th</sup> February, Monday 18<sup>th</sup> February 2019 (Monday 11<sup>th</sup> February was a public holiday) and Monday 5<sup>th</sup> August to Friday 9<sup>th</sup> August 2019. Pedestrians were recorded crossing Hill Street at three locations:

- At the Wombat Crossing location
- North of the Wombat Crossing location (between Hamilton Street and approximately 10m north of the crossing location)
- South of the Wombat Crossing location (on the southern leg of Hill Street roundabout)

During each survey the following was recorded:

- Adults crossing in both directions at each crossing location.
- Children (pre-school age) crossing in both directions at each crossing location.
- School Children crossing in both directions at each crossing location.

The pedestrian survey locations are shown in Figure 11.

**Figure 11 Survey Location**

#### 4.2 Pedestrian Survey Results

The results are summarised in Figure 12 and Figure 13 for the morning and afternoon peak periods respectively. Detailed pedestrian analysis is provided in Table 7, Table 8, Table 9 and Table 10 for the Pre-Trial, Post-Trial-1, Post-Trial-2 and Post-Trial-3 surveys respectively. The overall comparison between the three surveys is shown in Table 11.



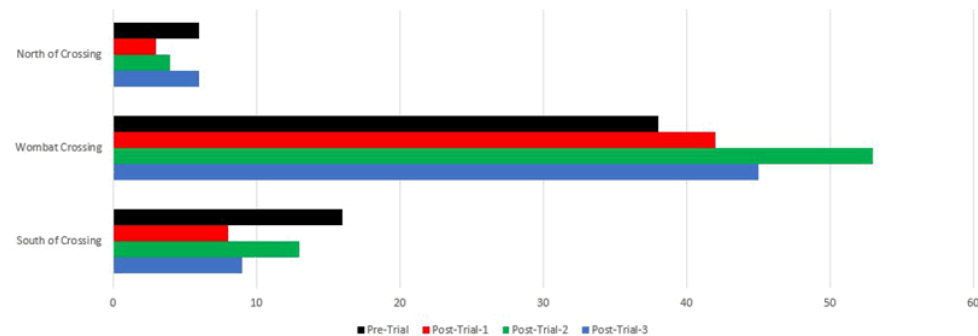
It can be seen that the installation of the Wombat Crossing has increased pedestrian utilisation at the crossing location. There was a relatively large increase in pedestrian utilisation of the Wombat Crossing during the Post-Trial-2 surveys compared to the Post-Trial-1 surveys, particularly during the morning peak period.

The Post-Trial-3 surveys noted a reduction in Wombat Crossing pedestrian volumes compared to Post-Trial-2 surveys during the morning peak, and a reduction comparable to Pre-Trial pedestrian crossing volumes during the afternoon peak.

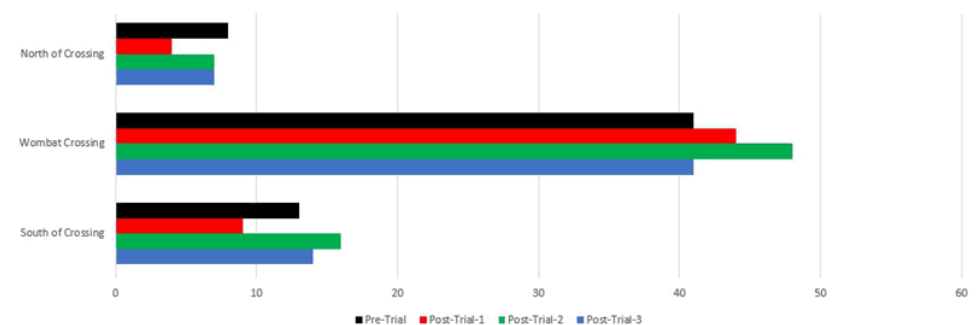
There has generally been a small corresponding decrease in pedestrian crossing north and south of the Wombat Crossing during this time (with the exception of south of the Wombat Crossing during the Post-Trial-2 and Post-Trial-3 surveys, noting that the overall volumes at this location are relatively low in absolute terms). It is possible that pedestrian crossing volumes were lower in Post-Trial-3 surveys due to seasonal effects impacting mode choice for journey to school trips (winter).

The pedestrian numbers consistently exceeded the minimum requirements for the installation of a Wombat Crossings in all surveys (minimum crossing volume = 20 pedestrians per hour).

**Figure 12 Morning Peak – Pedestrian Crossing Comparisons**



**Figure 13 Afternoon Peak – Pedestrian Crossing Comparisons**



**Table 7 Pre-Trial Pedestrian Survey Results**

2018		Mon 30 Apr		Tue 1 May		Wed 2 May		Thu 3 May		Fri 4 May	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	7	5	10	0	10	16	14	13	14	4
	Child	0	1	0	0	0	2	0	1	0	1
	School	2	4	1	1	2	6	9	7	11	2
	<b>TOTAL</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>1</b>	<b>12</b>	<b>24</b>	<b>23</b>	<b>21</b>	<b>25</b>	<b>7</b>
Wombat Crossing Location	Adult	16	30	21	17	24	29	19	23	17	17
	Child	4	3	2	2	2	4	1	4	1	6
	School	16	12	15	8	23	16	17	20	13	15
	<b>TOTAL</b>	<b>36</b>	<b>45</b>	<b>38</b>	<b>27</b>	<b>49</b>	<b>49</b>	<b>38</b>	<b>47</b>	<b>31</b>	<b>38</b>
North of Crossing	Adult	4	10	3	6	0	9	9	5	6	7
	Child	0	0	0	0	0	2	0	0	0	0
	School	0	3	3	0	1	2	3	0	1	0
	<b>TOTAL</b>	<b>4</b>	<b>13</b>	<b>6</b>	<b>6</b>	<b>1</b>	<b>4</b>	<b>12</b>	<b>5</b>	<b>7</b>	<b>7</b>

**Table 8 Post-Trial-1 Pedestrian Survey Results**

2019		Mon 18 Feb		Tue 12 Feb		Wed 13 Feb		Thu 14 Feb		Fri 15 Feb	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	6	4	8	8	14	6	8	6	4	11
	Child	0	0	0	0	1	0	0	0	0	0
	School	0	3	0	4	0	3	0	2	0	0
	<b>TOTAL</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>12</b>	<b>15</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>4</b>	<b>11</b>
Wombat Crossing Location	Adult	25	14	17	26	36	15	22	21	23	28
	Child	4	2	3	4	3	4	14	16	22	30
	School	9	22	5	21	24	14	0	4	0	0
	<b>TOTAL</b>	<b>38</b>	<b>38</b>	<b>25</b>	<b>51</b>	<b>63</b>	<b>33</b>	<b>26</b>	<b>41</b>	<b>45</b>	<b>58</b>
North of Crossing	Adult	7	2	0	3	4	5	1	1	2	8
	Child	0	0	0	0	0	0	0	0	0	0
	School	0	0	0	0	1	0	0	0	0	1
	<b>TOTAL</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>9</b>

**Table 9 Post-Trial-2 Pedestrian Survey Results**

2019		Mon 20 May		Tue 21 May		Wed 22 May		Thu 23 May		Fri 24 May	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	15	7	7	9	11	8	4	7	8	12
	Child	0	0	6	5	0	0	0	1	0	3
	School	0	5	13	22	2	1	0	0	0	0
	<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>26</b>	<b>36</b>	<b>13</b>	<b>9</b>	<b>4</b>	<b>8</b>	<b>8</b>	<b>15</b>
Wombat Crossing Location	Adult	27	13	23	22	39	25	34	26	30	28
	Child	8	5	6	5	0	0	4	6	5	4
	School	13	13	13	22	20	26	20	20	23	24
	<b>TOTAL</b>	<b>48</b>	<b>31</b>	<b>42</b>	<b>49</b>	<b>59</b>	<b>51</b>	<b>58</b>	<b>52</b>	<b>58</b>	<b>56</b>
North of Crossing	Adult	4	10	4	3	4	4	5	10	5	8
	Child	0	0	0	0	0	0	0	1	0	0
	School	0	1	1	0	0	0	0	1	0	0
	<b>TOTAL</b>	<b>4</b>	<b>11</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>12</b>	<b>5</b>	<b>8</b>

**Table 10 Post-Trial-3 Pedestrian Survey Results**

2019		Mon 5 Aug		Tue 6 Aug		Wed 7 Aug		Thu 8 Aug		Fri 9 Aug	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	7	7	7	6	8	4	7	10	8	14
	Child	0	0	0	0	1	0	0	0	0	0
	School	4	5	0	20	6	2	1	0	1	1
	<b>TOTAL</b>	<b>11</b>	<b>12</b>	<b>7</b>	<b>26</b>	<b>15</b>	<b>6</b>	<b>8</b>	<b>10</b>	<b>9</b>	<b>15</b>
Wombat Crossing Location	Adult	24	21	27	27	29	15	29	23	34	33
	Child	2	0	0	0	2	0	3	0	0	0
	School	9	18	11	0	18	22	23	18	14	26
	<b>TOTAL</b>	<b>35</b>	<b>39</b>	<b>38</b>	<b>27</b>	<b>49</b>	<b>37</b>	<b>55</b>	<b>41</b>	<b>48</b>	<b>59</b>
North of Crossing	Adult	6	12	11	1	2	8	6	5	7	8
	Child	0	0	0	0	0	0	0	0	0	0
	School	1	0	0	1	0	0	0	1	0	0
	<b>TOTAL</b>	<b>7</b>	<b>12</b>	<b>11</b>	<b>2</b>	<b>2</b>	<b>8</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>8</b>

**Table 11 Before Installation/ After Installation Comparisons**

		Pre-Trial WeekdayAv.		Post-Trial-1 Weekday Av.		Post-Trial-2 Weekday Av		Post-Trial-3 Weekday Av	
		AM	PM	AM	PM	AM	PM	AM	PM
South of Crossing	Adult	11	8	8	7	9	9	7	8
	Child	0	1	0	0	1	2	0	0
	School	5	4	0	2	3	6	2	6
	<b>TOTAL</b>	<b>16</b>	<b>13</b>	<b>8</b>	<b>9</b>	<b>13</b>	<b>16</b>	<b>9</b>	<b>14</b>
Wombat Crossing	Adult	19	23	25	21	31	23	29	24
	Child	2	4	9	11	5	4	1	0
	School	17	14	8	12	18	21	15	17
	<b>TOTAL</b>	<b>38</b>	<b>41</b>	<b>42</b>	<b>44</b>	<b>53</b>	<b>48</b>	<b>45</b>	<b>41</b>
North of Crossing	Adult	4	7	3	4	4	7	6	7
	Child	0	0	0	0	0	0	0	0
	School	2	1	0	0	0	0	0	0
	<b>TOTAL</b>	<b>6</b>	<b>8</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>6</b>	<b>7</b>





## 5. Conclusions

A Feasibility Study was completed in August 2017 that investigated the installation of various traffic management devices to improve pedestrian safety along the Hill Street corridor. One of the recommendations of the Feasibility Study was the installation of three Wombat crossings in Hill Street. The trial of one Wombat crossing in Hill Street near the intersection of Pine Street/ Lansdowne Crescent was recommended by Council to ensure that the traffic management device was appropriate and safe for all users. This report documents the findings of a comprehensive review of the Trial Wombat Crossing in Hill Street near the Pine Street/ Lansdowne Crescent roundabout.

The Wombat Crossing was constructed in February 2019. The study period of the Trial lasted 6 months from the construction of the Wombat Crossing and included traffic and pedestrian data collection for the following periods:

- Pre-Trial Monday 30<sup>th</sup> April 2018 to Friday 4<sup>th</sup> May 2018
- Post-Trial 1 Monday 11<sup>th</sup> February 2019 to Friday 15<sup>th</sup> February 2019 (immediately following the construction of the Wombat Crossing)
- Post-Trial 2 Monday 20<sup>th</sup> May 2019 to Friday 24<sup>th</sup> May 2019
- Post-Trial 3 Monday 5<sup>th</sup> August 2019 to Friday 9<sup>th</sup> August 2019

During this period road safety assessments were undertaken (crash data review, road safety audit and general road safety observations) as well as a review of public feedback was also undertaken. No significant road safety issues were noted during this period. Feedback from the community raised concern in the initial few months following the installation of the Wombat Crossing, however no feedback has been received since May 2019.

The key findings of the traffic and pedestrian surveys are summarised as follows:

- Traffic volumes increased between the Pre-Trial and Post-Trial-1 surveys. The Post-Trial-2 and Post-Trial-3 surveys decreased to a level similar to the Pre-Trial volumes (slightly lower). The Pre-Trial and Post-Trial-2 surveys were conducted during the month of May (2018 and 2019 respectively) and Post-Trial-3 surveys were undertaken in Winter and had the lowest volumes of all surveys suggesting that Hill Street has moderate seasonal traffic flow variation.
- The installation of the Wombat Crossing has decreased vehicle speeds on its approaches. The reduction of vehicle speeds was more pronounced during the Post-Trial-1 surveys. Speeds increased slightly during the Post-Trial-2 and Post-Trial-3 surveys. This is most likely attributed to motorists becoming familiar with the traffic management device. All Post-Trial surveys recorded lower speeds than the Pre-Trial surveys.
- The vehicle speeds on the approaches to the Wombat crossing are considered to be appropriate and safe. It is noted that vehicle speeds at the Wombat crossing are lower than the recorded



speeds from the pneumatic tube counters which were positioned approximately 30 metres from the crossing.

- The installation of the Wombat crossing has increased pedestrian crossing volumes during school pick-up and drop-off periods. A moderately large increase in pedestrian movements at the Wombat Crossing location has occurred during the Post-Trial surveys. The Post-Trial-2 surveys indicated the largest increase in pedestrian movements indicating that the Wombat Crossing is becoming more familiar and accepted by pedestrians. Pedestrian volumes dropped during the Post-Trial-3 surveys compared to Post-Trial-1 and Post-Trial-2 surveys, possibly due to seasonal influences (winter).
- The pedestrian numbers consistently exceeded the minimum requirements for the installation of a Wombat Crossings in all surveys (minimum crossing volume = 20 pedestrians per hour).

Following a review of the available data and observations of the Wombat Crossing it is recommended that the Trial be concluded as a success and that the Wombat Crossing be retained on a permanent basis.

It is considered important that the low-lying vegetation located on the central island of the roundabout (as identified through the Road Safety Audit) be removed to improve visibility of the Wombat Crossing from the eastern approach of the roundabout.

Based on the success of the Trial, the Wombat Crossing can be retained in isolation. It is preferable that the remaining two Wombat Crossings be installed in Hill Street as per the original recommendations of the Feasibility Review. This would provide a traffic scheme that would improve driver awareness of the presence of the pedestrian crossing facilities.





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## Appendix A

### Issues Raised in Consultation

**Table 12 Summary of Issues Raised by Community**

Date	Summary
27 May 2019	<p>I work full time and so have limited time at home, but through my day I will generally be using the crossing at least twice a day. I have seen two accidents, one when I was waiting to cross the crossing and a car coming out of Lansdowne Crescent and looking to his right obviously as it is a roundabout, went straight into the back of a car stopped at the crossing. This same thing I have seen happen twice and I am assuming that this also occurs during the work day while I am not there. I have had conversations with two or three of my closest neighbours and we are all live right on top of this crossing and see a lot of things that happen on the street outside and we have all said how dangerous it is and that it will only be a matter of time before there is a fatality on this crossing.</p> <p>Probably over twelve months ago when you had a neighbourhood discussion at Smolt regarding Council's intentions for this area, I specifically spoke to both yourself and another lady from Community Services about my concerns regarding the crossing being so close to a roundabout and to move it further down the street and I can clearly remember all the people that were there at the time saying the same thing.</p> <p>Obviously, there has been no consideration taken as we have a pedestrian crossing on top of a roundabout, funnelling unsuspecting people into a so called safe environment to cross. This is becoming a death trap and one day soon we will be ringing for an ambulance.</p> <p>This morning, I and another lady were trying to cross the crossing at the same time. We were both extremely cautious as we live in the area and know that many cars don't stop. Despite two people standing at the crossing, three cars went through the cross coming up from Hill Street and never even slowed down. I waited to see whether the other lady said anything about it as I didn't want to influence, and she said "Oh my god, three cars have not stopped. I have seen so many close calls here and you are taking your life into your own hands crossing here". Which I absolutely agree with!</p> <p>The amount of traffic which comes through this area is huge, I use the crossing around 7ish in the mornings when there is probably the least traffic through the day however I will not step onto that crossing unless there is absolutely no traffic or all traffic has stopped. We have a school nearby and there are many children using the crossing and elderly people walking to the chemist and of course there is the auto teller and Smolt.</p> <p>I know people speed through there and you probably don't have too much control over that despite the speed humps that have been put down, but people are focusing on getting round the roundabout and looking to their right, so they are on top of the crossing before they even realise that it is there.</p>



9 May 2019	<p>I am just writing to say how wonderful the upgrades have been around west Hobart and in particular the safety crossings all along Hill street. I have 3 young children 2 of whom go to Lansdowne primary school so it makes crossing the road to go to school or the park and the grocer so much safer.</p> <p>Thank you.</p> <p>Unfortunately where the wombat crossing is near the chemist I have had a number of close misses of cars just blatantly not stopping when I'm half way across or at either side and not even slowing down or looking. This is very disappointing and potentially very dangerous.</p> <p>I'm not sure what the solution is? Perhaps reduce the speed to 40, or there could be some monitoring or orange flashing lights or further sighing to say slow down/ stop for pedestrians?</p>
14 April 2019	<p>The new Wombat Crossing at the roundabout next to my house is extremely dangerous. My twin four year old boys were nearly killed last Thursday by a motorist travelling through the roundabout in a northerly direction. My parents (boys grandparents) have also had a close incident when bringing the boys home from Lansdowne Crescent Primary School.</p> <p>In my opinion a pedestrian crossing right next to a roundabout is a serious design flaw. Motorists are focused on other vehicles passing through the roundabout and at times fail to see pedestrians. This is particularly the case with north bound traffic along Hill Street and traffic turning left from Lansdowne Crescent into Hill Street.</p> <p>Please take this letter seriously and relocate the crossing before a child is killed. It is only a matter of time. I would appreciate acknowledgement of receipt of this email.</p>



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**Document Status**

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	11 October 2019



## **Community Engagement Summary Report**

West Hobart Pedestrian Safety – Wombat Crossing Trial –  
January 2020



[yoursay.hobartcity.com.au](https://yoursay.hobartcity.com.au)

Prepared by



City of **HOBART**

### Project background

The City of Hobart has recently undertaken pedestrian improvement works on Hill Street to make West Hobart safer for all road users.

As a result of a request from the community and the West Hobart Environment Network, the project included the installation of a raised 'wombat' crossing on Hill Street, immediately north of Pine Street (see Figure 1), to slow down vehicles and give priority to people crossing the road.

The City has been trialling the crossing from February 2019 to determine its effectiveness in increasing the safety of pedestrians, many of whom are children and older people.



Figure 1: Location of existing wombat crossing on Hill St

### Summary of community engagement results

A total of 293 submissions were made through the Your Say Hobart online engagement portal. The majority of respondents were West Hobart residents (82%).

The survey results indicate that there is support for the existing wombat crossing on Hill St, with 81% of respondents being either supportive of the wombat crossing (55%) or somewhat supportive (26%). There is also support for *additional* wombat crossings to be installed at other locations in West Hobart (66% of respondents were supportive of additional crossings and 19% were somewhat supportive).

While the survey didn't specifically ask respondents for their level of support for the *location* of the wombat crossing, a significant number of survey respondents (105 out of 293 respondents, or 36%) provided unprompted negative comments on the existing wombat crossing's proximity to the roundabout on Hill Street.

Many survey respondents raised serious safety concerns about the location of the wombat crossing, including:

- poor visibility of pedestrians (particularly children) using the wombat crossing for vehicles approaching it from both Hill St and Lansdowne Crescent
- drivers not slowing down or stopping to allow pedestrians to cross the wombat crossing
- drivers concentrating on roundabout traffic and not on pedestrians
- poor signage on approaches to the wombat crossing
- increased traffic congestion within the roundabout when drivers stop for pedestrians
- lack of awareness or education from road users about the road rules concerning wombat crossings and when wombat crossings are located near a roundabout

### Community Engagement Objectives

Following the installation of the 'wombat' crossing on Hill Street the City undertook a period of community engagement aimed at:

- understanding the level of community support for the wombat crossing
- understanding the level of community support for additional wombat crossings on Hill Street
- seeking feedback on the trial and its relation to increased pedestrian safety

Community Engagement was open for a period of three weeks from 20 November – 13 December 2019. The engagement was on the **consult** level in the IAP2 spectrum.

### How we engaged

#### *Letters to key stakeholders*

In late 2019, letters were hand delivered or emailed to businesses along Hill Street and relevant community organisations (refer to list below).

- Hill Street Grocer
- A.A. Lord Retirement Village
- Amcal Pharmacy
- Smolt Kitchen
- West Hobart Gourmet Meats
- Lansdowne Crescent Primary School
- Lansdowne Café
- Paesano Pizza & Pasta
- Verde Store @ Karen Wagner Design
- Botanical Hobart Florist
- IGA X-press/Australia Post
- Island Tyres
- Marquis Hotel
- West Hobart Environment Network
- West Hobart Neighbourhood Watch
- Bicycle Network Tasmania
- Mount Stuart Residents Inc
- Lenah Valley Community Association

#### *Letters to surrounding community*

A letter detailing the project and providing an opportunity to provide feedback via the Your Say Hobart survey page was sent to the surrounding community in late November 2019. Hard copies of the survey were distributed to residents at the A.A. Lord Retirement Village on Hill Street and a notice of the engagement was placed in their monthly newsletter.

*Your Say Hobart*

From 20 November – 13 December 2019, the City sought community feedback via its online engagement platform *Your Say Hobart*. The platform offered the following features:

- background information on the project
- the opportunity to contribute feedback on the concept design through an online feedback form

*Direct response from stakeholders*

One direct response was received from the Goulburn Street Schools Association

## Participation Summary

Activity	Participation
Visits to Your Say Hobart project page	489
Completed the feedback form	293
Direct responses received	1

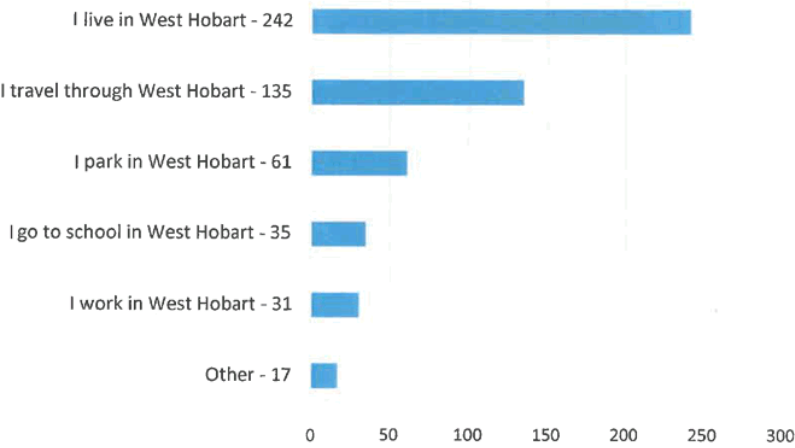
## Your Say Hobart visitation summary



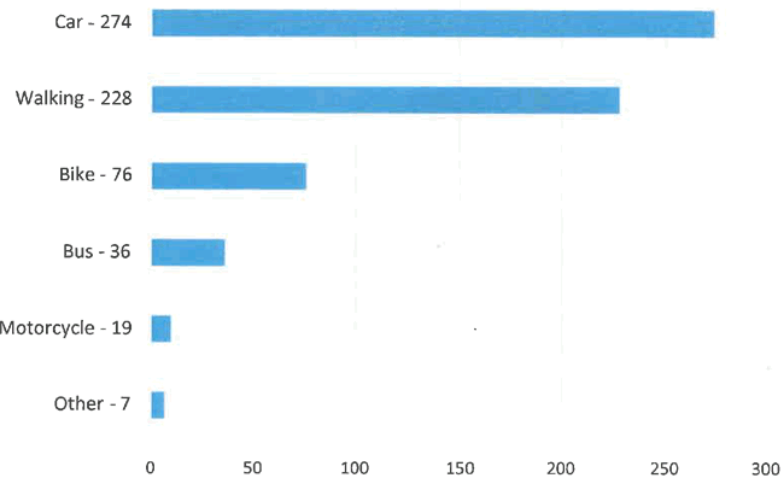


What we heard – results of the community engagement

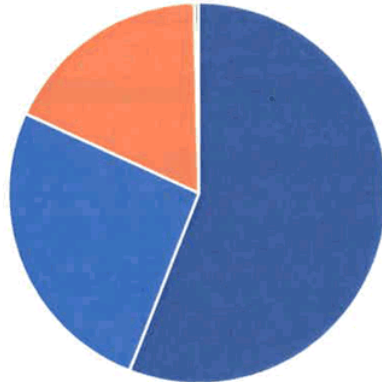
Respondents connection to West Hobart (please tick all that apply)



Mode of transport used on Hill Street (please tick that apply)

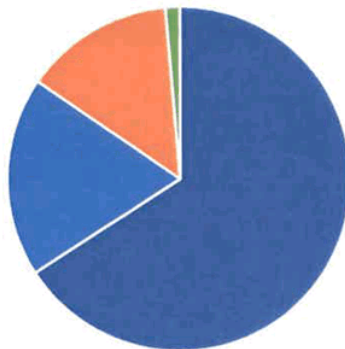


Level of support snapshot for the current wombat crossing installed on Hill Street, immediately north of Pine Street



- I support the wombat crossing - 55%
- I am somewhat supportive of the wombat crossing, but have some concerns - 26%
- I do not support the wombat crossing - 18%
- I don't know / I feel neutral about it - 0.5%

Level of support snapshot for additional wombat crossings being installed on Hill Street



- I support additional wombat crossings being installed on Hill Street - 66%
- I am somewhat supportive, but have some questions or concerns, as detailed below - 19%
- I do not support additional wombat crossings being installed on Hill Street - 14%
- I don't know / I feel neutral about it - 1%

## What we heard – key themes

Theme	Support for the wombat crossing in principle
What you said	<p><i>"I use this wombat crossing every single day! It's fantastic."</i></p> <p><i>"The wombat crossing on Hill St has transformed my walking in the suburb. There is now at least one spot where I can cross Hill St safely."</i></p> <p><i>"The wombat crossing is great. Some cars are still not stopping and can go through it as my kids and I are crossing."</i></p> <p><i>"The wombat crossings create the sense of a community where we support walking as a legitimate mode of travel and provide for safety and amenity for locals and visitors, and particularly children, seniors, and those with a disability. "</i></p> <p><i>"The wombat crossing is a very safe construction for pedestrians in Hill st and traffic is encouraged to slow down"</i></p>
What we heard	<ul style="list-style-type: none"> <li>More than half (55%) of survey respondents support the existing wombat crossing, with many respondents commenting that it has improved pedestrian safety in West Hobart.</li> </ul>
Theme	Existing wombat crossing is too close to the roundabout and is unsafe
What you said	<p><i>"The location of the crossing at the roundabout is terrible. An accident waiting to happen. Drivers on Lansdowne Cres look right to see the oncoming traffic then turn left into Hill St straight into the pedestrians."</i></p> <p><i>"Love the crossing, hate the position."</i></p> <p><i>"This crossing is in such a ridiculous spot! If it was placed 50 meters up, it would be a lot better. Cars can't stop to give way to pedestrians because they're still technically in the roundabout and blocking traffic"</i></p> <p><i>"The current location is the worst possible place it could be - the number of time I have seen pedestrians so close to being run over!"</i></p> <p><i>"The concept of a wombat crossing is good; however the location of this crossing is very inappropriate. On numerous (&gt;10 occasions) I have personally witnessed near accidents both pedestrian v car and car v car."</i></p> <p><i>"I have nearly been rear ended twice as I have exited Lansdowne and stopped on Hill St for a pedestrian on the crossing. Had I been hit by the car behind, I would have been punted into the pedestrian "</i></p> <p><i>"visibility is poor due to the large tree in the middle and any other cars who are travelling north on Hill St or from Lansdowne Crescent"</i></p>

<b>What we heard</b>	<ul style="list-style-type: none"> <li>While there is general support for the existing combat crossing, 105 (or 36%) survey respondents commented that the crossing is too close to the roundabout on Hill St which creates an unsafe and confusing environment for all road users, but in particular pedestrians.</li> <li>Anecdotal evidence from survey respondents suggest that drivers turning left from Lansdowne Cres onto Hill focus on giving way to cars to the right rather than pedestrians on the wombat crossing; visibility for cars approaching the crossing from the south is reduced (39 respondents) due to the tree in the middle of the roundabout</li> </ul>
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Theme	Support for additional wombat crossings
<b>What you said</b>	<p><i>"Would love a wombat crossing at the warwick st/ hill st intersection please"</i></p> <p><i>"Additional crossings on Hill Street will slow traffic and make it a safer place for everyone."</i></p> <p><i>"The school crossings at Goulburn Street, Forest Road and Lansdowne Crescent would be prime candidates to install further Wombats Crossing significantly improving pedestrian safety especially for students."</i></p> <p><i>"Due to the 100+ age care persons living opposite to the Hill St store another crossing would be appreciated outside 131 Hill St"</i></p> <p><i>We cross hill st at a number of different places with 3 small children. In the morning it can be extreme dangerous. Our children aged 5, 3 and 2 need safer places to cross. Another crossing at the post office shop is required! The current crossing makes that area much safer thank you.</i></p> <p><i>"The more of these the better along Hill St"</i></p>
<b>What we heard</b>	<ul style="list-style-type: none"> <li>66% of survey respondents indicated they would support the installation of additional wombat crossings being installed on Hill Street. Some respondents also commented that they would like additional wombat crossings installed at other locations including near Goulburn St Primary School, Augusta Rd and at the intersections of Arthur St/Mellifont St, Molle St/Collins St and Regent St/Fitzroy Place.</li> </ul>

Theme	Drivers don't slow down and/or give way to pedestrians
<b>What you said</b>	<p><i>"I use the Crossing every day to take my kids to school and almost always the drivers during peak time do not stop for us to Cross. It is extremely dangerous."</i></p> <p><i>"The wombat crossing is great, but some motorists approach the crossing at a speed that doesn't give me confidence that they plan to stop before I step out. Some motorists have driven through the crossing when I am clearly about to step out with my children"</i></p>

<p><b>What we heard</b></p>	<p><i>"Drivers are failing to understand that pedestrians are meant to be prioritised. I have witnessed an alarming number of near misses of children due to cars failing to stop."</i></p> <ul style="list-style-type: none"> <li>87 survey respondents commented that drivers don't slow down in time to stop for people using the wombat crossing</li> <li>Many respondents commented that this is due to the proximity of the crossing to the roundabout</li> </ul>
<p><b>Theme</b></p>	<p><b>Causes traffic congestion</b></p>
<p><b>What you said</b></p>	<p><i>"We have also seen the roundabout jammed up with cars and uncertainties arising for drivers as a result of people using the crossing."</i></p> <p><i>"Often people don't realise it is there because they are concentrating on traffic flow in the roundabout. It also causes congestion in the roundabout circle."</i></p>
<p><b>What we heard</b></p>	<ul style="list-style-type: none"> <li>Some respondents commented that when cars are stopping for pedestrians using the wombat crossing, this causes congestion within the roundabout.</li> </ul>
<p><b>Theme</b></p>	<p><b>Support for other pedestrian safety measures</b></p>
<p><b>What you said</b></p>	<p><i>"A plain (flat) zebra crossing is preferred"</i></p> <p><i>"We would even like to see the speed limit reduced to 40kmph along Hill Street."</i></p> <p><i>"A significant number of seniors/elderly people live between Hamilton &amp; Arthur Street (specifically in A.A. Lord Village). Could consideration please be given to a couple more "Elderly People Crossing" or "Be Careful Elderly People Crossing" signs being erected. Thank you."</i></p>
<p><b>What we heard</b></p>	<ul style="list-style-type: none"> <li>Some respondents commented that they would prefer other or additional safety measures being implemented in West Hobart.</li> </ul>
<p><b>Theme</b></p>	<p><b>Suggested improvements to existing wombat crossing</b></p>
<p><b>What you said</b></p>	<p><u>Relocate the existing wombat crossing:</u></p> <p><i>"Move it half way up the street between the round about and Hamilton Street and there would be no problem. But where it is now - is just plain dangerous (and I have the scars to prove it!)."</i></p> <p><i>"It needs to be redesigned. Its an accident awaiting to happen."</i></p> <p><u>Improved signage or lighting:</u></p> <p><i>"Maybe needs more signage? I walk across this crossing daily and half the cars don't stop!"</i></p>

	<p><i>"Can drivers be made more aware by a sign that they are approaching a wombat crossing and the sign says that they need to stop"</i></p> <p><i>"I feel there should be more signage (give way to pedestrians etc) at these sites and maybe even a crossing guard for peak times. "</i></p> <p><i>"I think you need to install lights that flash during peak times to alert drivers to the crossing."</i></p> <p><u>Driver education:</u> <i>"Some drivers are not well educated about how to use the wombat crossing and this is an area that needs improvement"</i></p> <p><i>"Driver and pedestrian education is required"</i></p>
What we heard	<ul style="list-style-type: none"><li>• Survey respondents suggested relocating the existing the wombat crossing to a safer location, installing better signage and lighting and driver and pedestrian education as necessary measures to improve the safety of the existing wombat crossing.</li></ul>

## Promotion

The community engagement opportunity was promoted in the following ways:

Your Say Hobart project page

Available for viewing on the City's online engagement platform from 20 November – 13 December 2019.

Home » West Hobart Pedestrian Safety - Wombat Crossing Trial

### West Hobart Pedestrian Safety - Wombat Crossing Trial

The survey for this project is now closed. Thank you to everyone who took the time to complete the survey, we will now examine the feedback and report back soon.

**Under Review**  
Contributions to this consultation are closed for evaluation and review. The Project team will report back on key outcomes.

**Life Cycle**

**Feedback Form**

**CLOSED: This survey has concluded.**  
**Wombat Crossing Trial Feedback Form**

**Complete Feedback Form**

**Related Documents**

- City Infrastructure Meeting Agenda 20 September 2017 (16.3 KB) (pdf)
- Council Minutes 2 October 2017 (130 KB) (pdf)

**Key Dates**

Wombat Crossing Feedback form opens  
**20 November 2019**

City of Hobart Facebook post

Opportunity promoted via Facebook on 27 November 2019

**City of Hobart**  
 27 November 2019

Responding to feedback from the West Hobart Environment Network and the community, we've recently installed a raised 'wombat' crossing on Hill Street, immediately north of Pine Street, to slow down vehicles and give priority to people crossing the road.

The crossing has been installed as a trial and in addition to the City's assessment of its effectiveness, we would like to hear your feedback. Please complete a short survey by 13 December 2019 at our Your Say Hobart portal at [yoursay.hobartcity.com.au/wombat-crossing](https://yoursay.hobartcity.com.au/wombat-crossing)



[YOURSAY.HOBARTCITY.COM.AU](https://yoursay.hobartcity.com.au)  
**West Hobart Pedestrian Safety - Wombat Crossing Trial**  
 The City of Hobart has recently undertaken pedestrian improvement works



## Your Say e-newsletter

Sent to 2 035 registered users on 21 November 2019

- a new function centre
- expanded car parking

Please visit the Your Say Hobart project page, review the plans and complete a survey before 13 December 2019

*Please note, currently there is no set funding for this project*


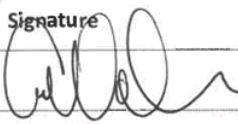
## West Hobart Pedestrian Safety - Wombat Crossing Trial



As a result of feedback from the West Hobart community and the West Hobart Environment network regarding pedestrian safety concerns, the City of Hobart implemented the trial of a wombat crossing on Hill Street earlier this year. If you live in the area, use this crossing or it impacts on your travels, we would like to hear whether you feel that the trial has been a success.

Please visit the Your Say Hobart project page and complete the feedback form before 13 December 2019

*Dependent on feedback the City may consider installing additional wombat crossings in other locations on Hill Street*

Approvals		
Community Engagement Officer	Date	Signature
Jessica Wilson	16/1/20	
Senior Advisor Community Engagement	Date	Signature
Carmen Salter	16.01.20	
Project Manager	Date	Signature
Shivani Jordan		



**6.5 Update - Speed Limit - Sandy Bay Retail Precinct - Streetscape  
Revitalisation - January 2020  
File Ref: F20/1301; R0820**

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Memorandum of the Acting Manager Traffic Engineering of 21 February  
2020 and attachment.

Delegation: Committee



City of **HOBART**

**MEMORANDUM: CITY INFRASTRUCTURE COMMITTEE**

**Update - Speed Limit - Sandy Bay Retail Precinct -  
Streetscape Revitalisation - January 2020**

The attached memorandum recommends that the Hobart City Council not proceed with requesting a reduction from 50 km/h to 40 km/h on Sandy Bay Road in the Sandy Bay Retail Precinct.

If the Committee is of the view that it would like to proceed with requesting the reduction in speed limit from 50 km/h to 40 km/h, an engineering consultant would be engaged to review the proposal against the Transport Commission / State Growth requirements, and the Lord Mayor could write to the Transport Commission seeking a reduction in speed limit.

**RECOMMENDATION**

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

*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.*

Owen Gervasoni  
**ACTING MANAGER TRAFFIC  
ENGINEERING**

Date: 21 February 2020  
File Reference: F20/1301; R0820

Attachment A: Memorandum - Sandy Bay Retail Precinct - Streetscape  
Revitalisation ↴



R0820

(s:\traffic engineer (owen)\2019\misc other\sandy bay road speed limits\memorandum\_sandybayroadspeedlimit.doc)

27 December, 2019

**MEMORANDUM: DIRECTOR CITY PLANNING****SANDY BAY RETAIL PRECINCT - STREETSCAPE  
REVITALISATION**

At its meeting of 7 September 2015 (Item 10) the Hobart City Council resolved:

1. *The amended conceptual streetscape design for the Sandy Bay Retail Precinct be approved with work to be scheduled for completion in 2016/2017, acknowledging that some works may commence earlier in 2016.*
2. *The traffic issues raised during the community engagement process that relate to the intersection of King Street and Sandy Bay Road, Sandy Bay, be considered in consultation with representatives from the Department of State Growth.*
3. *The speed limit on Sandy Bay Road between Osborne Street and Ashfield Street, Sandy Bay, be reviewed following completion of the works and the Lord Mayor be requested to write to the Minister for State Growth regarding any planned speed limit changes for the main retail precinct on Sandy Bay Road.*
4. *Opportunities for increased bike parking be investigated as part of the detailed design for the Sandy Bay Retail Precinct streetscape revitalisation.*

Items 1, 2 and 4 were actioned and completed during the planning and construction process involved in the streetscape works.

In relation to Item 3, the advice from the Department of State Growth is that any request to the Transport Commissioner for approval to install a 40km/h speed zone in Sandy Bay Road should reference the 'Austroads Guide to Traffic Management Part 5: Road Management, Section 6 – Speed Limits'.

Following the receipt of this advice, City of Hobart officers have reviewed the Austroads guidelines and have undertaken an investigation of the 85th percentile speeds (vehicle operating speeds) on the road and the suitability of a potential reduction in the posted speed limit from 50 km/h to 40 km/h.

The review concluded that based on speed surveys undertaken following completion of the retail precinct upgrade works:

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

Created: 17/12/2012 Updated: 27/12/2019

document2

Page 2 of 2

- Due to the important vehicle carrying function of Sandy Bay Road through the retail precinct and the need for the curved road being able to cater for large trucks and buses, the reconstruction and redesign of the Sandy Bay Retail Precinct has not resulted in a physical design being able to be implemented that would result in a reduction in vehicle speeds through the precinct.
- A reduction in the posted speed limit on Sandy Bay Road from 50 km/h to 40 km/h would therefore not have physical treatments implemented that would support the change in such a way that it would be seen as credible to the community.
- If the speed limit were reduced from 50 km/h to 40 km/h, it would likely see the percentage of drivers exceeding the posted speed limit increase from 4% (with a 50 km/h speed limit) to 41% (with a 40 km/h speed limit).
- At this level of non-compliance, it would be unlikely that the Tasmania Police could reasonably be expected to enforce the reduced speed limit.

Based on these conclusions, it is my advice that:

- The current 50 km/h speed limit is appropriate through the retail precinct.
- A 40 km/h speed limit would not be obeyed or appear credible by motor vehicles.
- A reduction from 50 km/h to 40 km/h could not be supported based on 'Austroads Guide to Traffic Management Part 5: Road Management, Section 6 – Speed Limits', and therefore would not be likely to be approved by the Commissioner for Transport.

More information in relation to the review of the site against the 'Austroads Guide to Traffic Management' requirements and details of the recorded speed data are provided in the attached memo.

Therefore following a review of the speed limit on Sandy Bay Road between Osbourne Street and Ashfield Street, no changes to the existing speed limits are planned or proposed. As such I consider that the Council resolution of 7 September 2015 is now complete.

Notwithstanding this advice, should the Hobart City Council wish to seek a reduction from 50 km/h to 40 km/h, it would be appropriate for an engineering consultant to assess the proposal against the Transport Commission / State Growth requirements, and the Lord Mayor could write to the Transport Commission seeking a reduction in speed limits.



(Owen Gervasoni)

**ACTING MANAGER TRAFFIC ENGINEERING**

Attachment:

Memo – Investigation of 40 Km/h Speed Limit - Sandy Bay Retail Precinct – 4/1/2018 (F18/820)

R0820  
og:OCG

(s:\traffic engineer (owen)\2017\aaa misc other\sandybayroad\_40kmph\sandybayrd40memo.doc)

4 January, 2018

**MEMORANDUM: MANAGER TRAFFIC ENGINEERING****INVESTIGATION OF 40 KM/H SPEED LIMIT - SANDY BAY  
RETAIL PRECINCT**

This memorandum compiles information on the review of the speed limit on Sandy Bay Road through the Sandy Bay Retail Precinct.

On 7 September 2015, the Council considered the proposed streetscape revitalisation in the Sandy Bay Retail Precinct, and resolved inter alia, that:

*"5. The speed limit on Sandy Bay Road between Osborne Street and Ashfield Street, Sandy Bay, be reviewed following completion of the works.*

*5.1. The Lord Mayor be requested to write to the Minister for State Growth regarding any planned speed limit changes for the main retail precinct on Sandy Bay Road."*

Advice has been sought from the Department of State Growth about a potential application for a 40 km/h speed limit for Sandy Bay Road through the precinct. The advice, was (see F17/151625 for full correspondence):

*"Confirming our telephone conversation,*

*Busy retail precincts have high levels of pedestrian activity and operate more safely with lower speed limits.*

*The North Hobart retail precinct has a lot of take-aways, restaurants and licensed premises that generate pedestrian activity in the evening. A full-time 40 km/h speed limit has been applied to cover this activity. The Sandy Bay retail precinct also generates significant pedestrian activity in the evening.*

*Installing static 40 km/h signs is obviously a lot cheaper and can be implemented more quickly.*

*Council's submission to the Transport Commissioner for approval to install a 40 km/h speed zone in Sandy Bay should reference the Austroads Guide to Traffic Management, Part 5: Road Management, Section 6 – Speed Limits."*

MISSION ~ TO ENSURE GOOD GOVERNANCE OF OUR CAPITAL CITY.

Created: 17/12/2012 Updated: 04/01/2018

sandybayrd40memo

Discussion of Austroads Guide to Traffic Management Requirements

State Growth have requested that any application for a 40 km/h speed limit be accompanied by reference to Austroads Guide to Traffic Management, Part 5: Road Management, Section 5 – Speed Limits.

Without summarising and discussing the document in great detail, it would be simplest to say that the guide continues the move away from the historic reliance on matching speed limits to the 85<sup>th</sup> percentile vehicle speed (that is, a reliance on the wisdom of groups of individuals to determine what is reasonable behaviour and what is unreasonable behaviour that should be punishable by law), towards a safety system approach where speed limits are part of a larger system focussed on reducing the risks of injury.

In a safe system approach, the design of a road and the speed limit of a road are considered together.

Part 5.3 of the Guide allows lower speed limits to be assigned to sections of road that have a high probability of conflict between various road users, and hence a higher probability of crashes occurring. This can be applied to shopping centres that abut roads in urban areas.

Table 5.4 does allow a 40 km/h speed limit to be applied to a road with a traffic function (i.e. a collector / arterial road), in pedestrian activity areas, but also notes that physical treatments may be necessary to constrain vehicle speeds. It also notes that these speed limits may be applied on a part time basis.

Further Discussion

While the Guide does allow for a 40 km/h speed limit to be installed on roads with a traffic function, it also notes that a speed limit should be appropriate for the function of a road, and be consistent with community values. That is, while the Guide moves away from the 85<sup>th</sup> percentile speed as a determinant, it acknowledges that a speed limit must be credible to the community.

For roads with a traffic function, it identifies that while a 40 km/h speed limit may be applied, it may be necessary to install physical treatments to constrain vehicle speeds.

Sandy Bay Road

Through the Sandy Bay Retail Precinct, Sandy Bay Road provides an important traffic carrying function. It has two traffic lanes in each direction, and caters to buses and heavy vehicles. Due to the need to ensure that heavy vehicles can safely drive along Sandy Bay Road, the lane widths are such that passenger vehicles have no real physical constraint on their speed, other than the presence of the traffic signals at King Street / Sandy Bay Road, the presence of parked cars, and congestion.

In this case, it was considered relevant to collect speed data for what road users were currently doing on Sandy Bay Road.

Page 3 of 3

Existing Speed Data

The works have largely been completed, and in September / October 2017, speed data was collected on Sandy Bay Road at two locations:

- At #178 Sandy Bay Road (between King Street and Queen Street);
- At the entrance to the Magnet Court Car Park (between King Street and Princes Street).

The data collected is summarised in Attachment A.

The survey captured the speed of 297,386 vehicles. Of these, 11,968 (4%) were recorded exceeding the current 50 km/h speed limit.

If the speed limit were changed to 40 km/h, and no change in behaviour occurred, then 122,641 vehicles (41.2%) would be recorded exceeding the speed limit.

In higher pedestrian activity times (8am to 8pm), the percentage that would be recorded exceeding the speed limit would be lower (34%). Outside of those hours, it would be much higher (71%).

Discussion of Speed Data

These results suggest that the introduction of a 40 km/h speed limit would result in between 1 in 3 and 1 in 4 drivers exceeding the speed limit from 8am to 8pm, and from 2 in 3 to 1 in 2 drivers exceeding the speed limit from 8pm to 8am.

Further Discussion

Based on the above, it is my view that the introduction of a 40 km/h speed limit on Sandy Bay Road should not be pursued at this time. To do so would result in a speed limit that would not appear credible and reasonable to many drivers. It would be likely to be so poorly received, that it could put at risk the potential future installation of 40 km/h speed limits in other retail precincts (for example, in Augusta Road in Lenah Valley, where the geometry will be more conducive to lower speeds). It is my recommendation that Sandy Bay Road not be pursued until such time as 40 km/h speed limits in retail precincts are in place in other parts of the City, such that it becomes an expected and accepted condition for road users.



(Owen Gervasoni)  
**SENIOR ENGINEER - ROADS & TRAFFIC**

Attachment: A – Speed Summary Data



**ATTACHMENT A**

**AT 178 SANDY BAY ROAD (BETWEEN KING STREET AND QUEEN STREET)**  
*Data collected 21 Sep to 28 Sep 2017*

Starting Hour	Count	Average Speed of all Traffic	50 KM/H LIMIT			40 KM/H LIMIT		
			Violator Counts	Violator %	Average Speed of Violators	Violator Counts	Violator %	Average Speed of Violators
0:00:00	1829	43.8	175	10%	55.6	1369	75%	46.5
1:00:00	1219	44.7	152	12%	54.9	960	79%	47.0
2:00:00	1054	44.6	136	13%	56.7	801	76%	47.4
3:00:00	785	45.3	121	15%	58.4	606	77%	48.1
4:00:00	1206	45.4	194	16%	59.2	951	79%	48.3
5:00:00	2346	44.1	309	13%	58.0	1725	74%	47.6
6:00:00	4682	43.2	505	11%	58.8	3232	69%	47.2
7:00:00	7294	40.7	384	5%	59.0	4027	55%	45.8
8:00:00	9559	38.9	387	4%	60.0	4036	42%	45.5
9:00:00	9857	37.8	319	3%	61.7	3643	37%	45.4
10:00:00	10400	37.3	301	3%	60.7	3486	34%	45.2
11:00:00	10953	36.8	267	2%	61.4	3337	30%	45.2
12:00:00	10676	36.4	237	2%	58.6	3015	28%	44.9
13:00:00	10632	36.6	262	2%	61.3	3124	29%	45.1
14:00:00	10578	36.9	272	3%	59.5	3256	31%	45.0
15:00:00	10593	36.8	279	3%	57.7	3207	30%	45.0
16:00:00	10761	36.9	239	2%	58.4	3391	32%	44.8
17:00:00	9469	36.8	221	2%	57.9	2964	31%	44.8
18:00:00	8631	36.9	157	2%	56.8	2679	31%	44.5
19:00:00	7235	37.8	168	2%	56.5	2586	36%	44.6
20:00:00	6265	38.9	169	3%	56.7	2677	43%	44.9
21:00:00	5703	39.9	216	4%	55.0	2783	49%	45.1
22:00:00	4641	42.1	256	6%	55.2	2955	64%	45.5
23:00:00	2983	43	241	8%	54.5	2090	70%	46.0
Total (50km/h Zone)	159351		5967	4%		62900	39%	
Total (24/7 40km/h Zone)	159351					41582	26%	
Total (8am to 8pm 40km/h Zone)	159351							

**SANDY BAY ROAD (AT MAGNET COURT)**  
*Data collected 28 Sep to 9 Oct 2017*

Starting Hour	Count	Average Speed of all Traffic	50 KM/H LIMIT			40 KM/H LIMIT		
			Violator Counts	Violator %	Average Speed of Violators	Violator Counts	Violator %	Average Speed of Violators
0:00:00	1499	45.2	214	14%	54.5	1252	84%	47
1:00:00	1081	45.8	176	16%	54.5	914	85%	47.6
2:00:00	857	46.1	163	19%	55	731	85%	47.9
3:00:00	924	47	214	23%	55.9	799	86%	48.7
4:00:00	1344	46.5	293	22%	56.6	1137	85%	48.7
5:00:00	2850	45.3	423	15%	56.1	2318	81%	47.6
6:00:00	5104	44.1	624	12%	56.2	3850	75%	47.1
7:00:00	6614	41.3	403	6%	57	3786	57%	46
8:00:00	7741	39.1	349	5%	57.4	3508	45%	45.7
9:00:00	8268	37.7	245	3%	58.6	3052	37%	45.2
10:00:00	8705	37.2	209	2%	58.7	2846	33%	45
11:00:00	9203	37	200	2%	59.2	2837	31%	45.1
12:00:00	9114	36.9	207	2%	56.1	2812	31%	44.9
13:00:00	9248	37.1	214	2%	58.2	2976	32%	44.9
14:00:00	8972	37.3	209	2%	57.5	2960	33%	45
15:00:00	9049	37.6	238	3%	54.8	3213	36%	44.9
16:00:00	9138	37.4	211	2%	54.6	3127	34%	44.8
17:00:00	8437	37.7	213	3%	54.3	3075	36%	44.7
18:00:00	7486	37.9	154	2%	54.4	2726	36%	44.7
19:00:00	6528	38.5	161	2%	54.4	2634	40%	44.7
20:00:00	5635	39.7	191	3%	54.4	2669	47%	45.1
21:00:00	4722	40.9	237	5%	53.5	2601	55%	45.4
22:00:00	3275	42.7	231	7%	54	2195	67%	45.9
23:00:00	2241	43.9	222	10%	53.6	1723	77%	46.3
Total (50km/h Zone)	138035		6001	4%		59741	43%	
Total (24/7 40km/h Zone)	138035		6001	4%		39157	28%	
Total (8am to 8pm 40km/h Zone)	138035		6001	4%				



**6.6 Subdivision at 143 Pottery Road, Lenah Valley - Name for New Road**  
**File Ref: F20/17494**

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Report of the Program Leader Road Services, the Manager Roads and Capital Works and the (Acting) Director City Amenity of 21 February 2020.

Delegation: Council

**REPORT TITLE: SUBDIVISION AT 143 POTTERY ROAD, LENA VALLEY - NAME FOR NEW ROAD**

**REPORT PROVIDED BY:** Program Leader Road Services  
Manager Roads and Capital Works  
(Acting) Director City Amenity

**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to recommend a name for a new road that is being constructed as part of a subdivision development at 143 Pottery Road, Lenah Valley.

**2. Report Summary**

- 2.1. A new road has been constructed as part of a subdivision at 143 Pottery Road, Lenah Valley.
- 2.2. At the suggestion of the developer, and following consultation with affected residents, the name 'Agena Retreat' has been nominated as the preferred name for the new road.

'Agena' is the name for one of the Beta Centauri stars, that is, the pointer star closest to the Southern Cross. It is also regarded as woman's name, consistent with other street names in the surrounding area.

- 2.3. An existing property will be affected by the proposed road name, as the new road comes off a short access road. The affected property, 141A Pottery Road, will now have access off the new road instead of their previous address. The resident has the choice to either retain their current address nomenclature or transition to use of the proposed new road name.

**3. Recommendation**

***That:***

1. ***The Council name the new road, arising from a subdivision at 143 Pottery Road, Lenah Valley, 'Agena Retreat'.***
2. ***In accordance with the Survey Co-ordination Act 1944, the Council advise the Nomenclature Board of Tasmania to register the new road name.***
3. ***The developer and the affected property be advised of the Councils decision.***

#### 4. Background

- 4.1. A new road has been constructed as part of the subdivision development at 143 Pottery Road, Lenah Valley.



- 4.2. At the suggestion of the developer, and following consultation with affected residents, the name 'Agena Retreat' has been nominated as the preferred name for the new road.

'Agena' is the name for one of the Beta Centauri stars, that is, the pointer star closest to the Southern Cross. It is also regarded as woman's name, consistent with street names in the surrounding area.

- 4.3. The classification of 'Retreat' is suitable for the cul-de-sac in accordance with the Nomenclature Board's Rules for Place Names in Tasmania and AS4819:2011 – Rural and Urban Addressing.

'Retreat' is a 'roadway forming a place of seclusion'.

It is possible that the existing road will be extended for future subdivision, including intersections with other roads. At this time a change to the road type may be considered.

- 4.4. The developer also proposed some alternative names, listed below. Should the Committee decide not to endorse the first preference, the following names could be considered.

4.4.1. Rocklily – a native flower

4.4.2. Obliqua – the Latin name for a White Gum, a eucalypt found in the area

4.4.3. Viminalis – the Latin name for a White Gum, a eucalypt found in the area

- 4.5. The affected property owners have been informed of the proposed new road name and have no objections. The property owners will decide whether they would like to keep their current addresses or change to the new name.

- 4.6. If the affected property owner decides to keep their current addresses, an information sign shall to be placed under the new road name sign directing traffic to the existing property in Pottery Road.

## **5. Proposal and Implementation**

- 5.1. It is proposed that the Council resolve to name the new road, arising from a subdivision at 143 Pottery Road, Lenah Valley, 'Agena Retreat'.
- 5.2. In accordance with the *Survey Co-ordination Act 1944*, the Council advise the Nomenclature Board of Tasmania to register the name.

## **6. Strategic Planning and Policy Considerations**

- 6.1. The proposal supports management of the City's assets and is reflected in the following Outcomes and Strategies of the City's Strategic Plan 2019-2029
  - 6.1.1. Outcome 7.3 - Infrastructure and services are planned, managed and maintained to provide for community wellbeing.
  - 6.1.2. Strategy 1.3.3 - Measure, manage and support the effective use of city facilities, infrastructure and open spaces.

## **7. Financial Implications**

- 7.1. The naming of the new road requires no additional funding. The installation of the new street sign and information sign can be accommodated within the existing 2019/2020 road maintenance budget.
- 7.2. Impact on Future Years' Financial Result
  - 7.2.1. No impact.
- 7.3. Asset Related Implications
  - 7.3.1. No impact.

## **8. Community and Stakeholder Engagement**

- 8.1. The developers of the subdivision proposed the name.
- 8.2. Adjoining Councils have advised no objections to the proposed name.
- 8.3. The owner of 141A Pottery Road has been informed of the new road name and invited to provide comment. No objections to the proposal have been received.

**9. Delegation**

9.1. The matter is for the Council to determine.

*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.*



Meghan Kluver-Jones  
**PROGRAM LEADER ROAD SERVICES**



Mao Cheng  
**MANAGER ROADS AND CAPITAL WORKS**



John Fisher  
**(ACTING) DIRECTOR CITY AMENITY**

Date: 21 February 2020  
File Reference: F20/17494

## **7. COMMITTEE ACTION STATUS REPORT**

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### **7.1 Committee Actions - Status Report**

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A report indicating the status of current decisions is attached for the information of Elected Members.

#### ***RECOMMENDATION***

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

Delegation: Committee

Attachment A: Committee Action Status Report

<p style="text-align: center;"><b>CITY INFRASTRUCTURE COMMITTEE – STATUS REPORT</b>  <b>OPEN PORTION OF THE MEETING</b>  <b>November 2014 to January 2020</b></p>				
Ref	Title	Report / Action	Action Officer	Comments
1	<p><b>221A LENA VALLEY ROAD, 2-16 CREEK ROAD, LENA VALLEY – SUBDIVISION (86 RESIDENTIAL LOTS, 8 ROAD LOTS, 7 PUBLIC OPEN SPACE LOTS) – PLN-14-00584-01</b></p> <p>Council 22/9/2014, item 9.2</p>	<p>That the Council undertake an urgent review of the Lenah Valley Traffic Management Plan with particular reference to the management of traffic in Augusta, Creek, Alwyn and Chaucer Roads and Monash Ave.</p>	<p>Director City Planning</p>	<p>The draft Transport Strategy addressed this matter and was presented to 9 July 2018 Council meeting.</p> <p>The Draft Transport Strategy was subject to community engagement in July/August 2018 and a report detailing the results of the community engagement was presented to 8 October 2018 Council meeting.</p> <p>At this meeting the Council adopted the 9 themes and position statements in the draft strategy.</p> <p>The Council also resolved that the actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p> <p>A report is now scheduled to be provided in early 2020.</p>
2	<p><b>IMPROVEMENTS TO PEDESTRIAN CROSSINGS</b></p> <p>Council 13/4/2015, item 10</p>	<p>A report be prepared looking at other opportunities for improvements to pedestrian crossings on key pedestrian routes in the City, including consideration of zebra crossings.</p>	<p>Director City Planning</p>	<p>Consideration has been given to pedestrian crossings in the Local Retail Precincts Plan, the Salamanca upgrade and in the development of the Transport Strategy.</p>

Ref	Title	Report / Action	Action Officer	Comments
				<p>The draft Transport Strategy addressed this matter and was presented to 9 July 2018 Council meeting.</p> <p>A key action of the strategy is the development of a walking (pedestrian) plan for the City of Hobart.</p> <p>The Draft Transport Strategy was subject to community engagement in July/August 2018 and a report detailing the results of the community engagement was presented to 8 October 2018 Council meeting.</p> <p>At this meeting the Council adopted the 9 themes and position statements in the draft strategy.</p> <p>The Council also resolved that the actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p> <p>A report is now scheduled to be provided in early 2020.</p>



Ref	Title	Report / Action	Action Officer	Comments
3	<b>SANDY BAY RETAIL PRECINCT – STREETSCAPE REVITALISATION</b> Council 7/9/2015, item 10	<ol style="list-style-type: none"> <li>1. The amended conceptual streetscape design for the Sandy Bay Retail Precinct be approved with work to be scheduled for completion in 2016/2017, acknowledging that some works may commence earlier in 2016.</li> <li>2. The traffic issues raised during the community engagement process that relate to the intersection of King Street and Sandy Bay Road, Sandy Bay, be considered in consultation with representatives from the Department of State Growth.</li> <li>3. The speed limit on Sandy Bay Road between Osborne Street and Ashfield Street, Sandy Bay, be reviewed following completion of the works and the Lord Mayor be requested to write to the Minister for State Growth regarding any planned speed limit changes for the main retail precinct on Sandy Bay Road.</li> <li>4. Opportunities for increased bike parking be investigated as part of the detailed design for the Sandy Bay Retail Precinct streetscape revitalisation.</li> </ol>	Director City Planning	<ol style="list-style-type: none"> <li>1. Complete.</li> <li>2. Complete.</li> <li>3. Correspondence from the Department of State Growth has been received indicating that they would consider reducing speed limits if the streetscape works moderated the speed of vehicles.  Officers obtained vehicle speed data prior to the completion of construction and will obtain further speed data prior to progressing this matter.</li> <li>4. Complete.</li> </ol>

Ref	Title	Report / Action	Action Officer	Comments
4	<p><b>ICAP – HOBART CENTRAL BUS INTERCHANGE PLANNING PROJECT – ELIZABETH STREET BUS MALL IMPROVEMENT PROJECT – DISCUSSIONS WITH METRO TASMANIA AND ONE-WAY BUS MALL</b> Council 12/10/2015, item 12</p> <p><b>ICAP – HOBART CENTRAL BUS INTERCHANGE PLANNING PROJECT – ELIZABETH STREET BUS MALL IMPROVEMENT PROJECT – ALTERNATIVE OPTION TO CURRENT ARRANGEMENT</b> Council 21/12/2015, item 16</p> <p><b>HOBART CENTRAL BUS INTERCHANGE PLANNING PROJECT - ELIZABETH STREET BUS MALL IMPROVEMENT PROJECT</b> Council 9/4/2018, item 13</p>	<ol style="list-style-type: none"> <li>1. A further report be provided on the issues and design implications of pursuing an alternative option for the Elizabeth Street Bus Mall Improvement Project.</li> <li>2. The Council give in principle support to the further development of a one-way Elizabeth Street Bus Mall, with displaced bus stops relocated to Collins Street (Option 3).</li> <li>3. The General Manager be authorised to undertake community engagement for Option 3 once the substantial concerns of Metro Tasmania and the Department of State Growth have been appropriately addressed, with the results of the engagement to be the subject of a further report prior to any final decision on the improvement project.</li> <li>4. A detailed design, cost estimate with identified funding sources be developed for the relocation of the Campbell Street bus stop (opposite City Hall) into Macquarie Street, which would be the subject of a future report.</li> <li>5. A further report be provided on the implications, operation, cost and funding possibilities for an intrastate bus departure facility incorporating the</li> </ol>	<p>Director City Planning</p>	<p>The State Government Transport Vision includes investigation and review of current public transport operations in the City.</p> <p>Improvements works to the GPO (eastern) side of the Elizabeth Street Bus Mall are complete.</p> <p>Detail planning and approvals are being finalised for improvements to the other (western) side of the Elizabeth Street Bus Mall.</p>

Ref	Title	Report / Action	Action Officer	Comments
	<b>ELIZABETH STREET BUS INTERCHANGE SHELTER UPGRADE</b> Council 3/12/2018, item 14	<p>underutilised area within the Franklin Square amenities building.</p> <p>6. That the Council and State Government undertake discussions at the conclusion of the hotel construction in relation to the permanent configuration of the bus mall.</p> <p>7. That the upgrading of the bus passenger waiting facilities on the GPO side of the Elizabeth Street Bus Mall as detailed in the concept plans marked as Attachment F to item 6.5 of the Open City Infrastructure Committee agenda of 21 November 2018 be approved for construction, subject to the necessary statutory approvals being obtained.</p>		
5	<b>PEDESTRIAN ACCESS AND SAFETY ON HOBART STREETS</b> Council 12/10/2015, item 14	<p>1. Following the development and implementation of a suitable engagement strategy, the current Highways By-law (3 of 2008) be enforced with particular emphasis on the Elizabeth Mall, Wellington Court and Salamanca Square (including Woobys Lane and Kennedy Lane).</p> <p>2. The General Manager be authorised to modify the management of commercial furniture and infrastructure on public footpaths towards a best practice model approach, where such</p>	Director City Planning	<p>Work to implement the Council's resolution with regard to the reconstructed sections of Liverpool Street, Morrison Street, Salamanca Place and Sandy Bay shopping centre is complete. Planning is underway for implementing the other elements.</p> <p>A further report addressing clause 3 will be presented to an upcoming Committee meeting.</p>

Ref	Title	Report / Action	Action Officer	Comments
		<p>furniture and signage is only permitted if it does not interfere with the safe and equitable movement of pedestrians along that public footpath.</p> <p>3. A further report be prepared that identifies how the Council may achieve a clear building line with minimum footpath widths in the future, in order to best satisfy the provision of an accessible path as required by the Disability Discrimination Act 1992.</p> <p>4. During the review and renewal of the current Highways By-law, appropriate amendments be made to ensure that signboards are prohibited from being placed immediately adjacent to buildings.</p> <p>5. As part of the review of signage, alternative options to sandwich boards, such as sign posts be investigated.</p> <p>6. Officer hold discussions with relevant stakeholders in relation to the hazards potentially created through application of the Disability Discrimination Act 1992 with regard to the setbacks required from building frontages.</p>		

Ref	Title	Report / Action	Action Officer	Comments
6	<b>CYCLING LINK – MARIEVILLE ESPLANADE</b> CIC 9/12/2015, item 14	The options for a cycling link on Marieville Esplanade be reviewed when the future of the Battery Point foreshore walk is determined.	Director City Planning	The options will be reviewed when the future of the Battery Point foreshore walk is determined.  A first stage of improvement (funded through a Federal Government grant) is currently in planning.
7	<b>WEST HOBART LOCAL AREA TRAFFIC INVESTIGATION</b> Council 7/3/2016, item 13	<p>1. The recommendations of the consultant report titled West Hobart Local Area Traffic Investigation – Final Report, be supported in-principle and the following actions be undertaken:</p> <ul style="list-style-type: none"> <li>(i) A workshop be convened with stakeholders in relation to the West Hobart pedestrian environment.</li> <li>(ii) The Department of State Growth be requested to establish Statewide warrants for the installation of pedestrian crossings within Tasmania.</li> <li>(iii) The Council write to the Department of State Growth requesting that consideration be given to the installation of an unsupervised children's crossing in Hill Street in the 40km/h zone near Caldew Park.</li> <li>(iv) Median lanes and median islands be installed in Hill Street between Allison Street and</li> </ul>	Director City Planning	<p>Work to progress the Council's resolution is underway.</p> <ul style="list-style-type: none"> <li>(i) Complete.</li> <li>(ii) Complete.</li> <li>(iii) Complete.</li> <li>(iv) Complete.</li> <li>(v) Median island installed and an engineering review has occurred in 2019. Community feedback on the trial 'wombat' crossing is being sought through the CoH 'YourSay' page and closed on 13 December 2019.</li> <li>(vi) Complete.</li> </ul> <p>The Council endorsed the recommendation on 2 October 2017, that traffic signals not be installed at this location at this time.</p> <p>Black Spot funding application was unsuccessful.</p>

Ref	Title	Report / Action	Action Officer	Comments
		<p>Patrick Street and between Hamilton Street and Warwick Street, in 2016/2017 following the development of concept designs and community engagement.</p> <p>(v) A review be undertaken following the installation of the median islands and pedestrian crossings in Hill Street.</p> <p>(vi) Concept design development and consultation be undertaken with directly affected residents in 2016/2017 to provide more generous pedestrian crossings in Hill Street where refuge islands are already provided.</p> <p>2. A temporary treatment to the median islands and pedestrian crossings be considered, in an effort to gauge their impact.</p> <p>3. The Council approach the State Government regarding the installation of traffic signals at the intersection of Arthur and Hill Streets.</p> <p>4. Consideration be given to the submission of an application for the 2016 round of Blackspot Program Funding, to support the installation of signals at this location.</p>		

Ref	Title	Report / Action	Action Officer	Comments
8	<b>ESTABLISHMENT OF AN ADVISORY COMMITTEE FOR THE IMPLEMENTATION OF A SULLIVANS COVE WATERFRONT PRECINCT PLAN</b> Council 6/6/2016, item 13	<ol style="list-style-type: none"> <li>1. A Waterfront Precinct Plan be developed as part of the Hobart Transport Strategy and an Advisory Committee be established to assist in the development of the plan.</li> <li>2. The Sullivans Cove Tripartite Steering Committee and the Waterfront Business Community to consider increasing their membership in order to increase communication.</li> </ol>	Director City Planning	<p>The draft Transport Strategy addressed this matter and was presented to 9 July 2018 Council meeting.</p> <p>The Draft Transport Strategy was subject to community engagement in July/August 2018 and a report detailing the results of the community engagement was presented to 8 October 2018 Council meeting.</p> <p>At this meeting the Council adopted the 9 themes and position statements in the draft strategy.</p> <p>The Council also resolved that the actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p> <p>A report is now scheduled to be provided in early 2020.</p> <p>The Sullivans Cove Tripartite Steering Committee invited representatives of the Waterfront Business Community to attend future meetings.</p>
9	<b>TRANSPORT STRATEGY</b> Council 8/8/2016, item 14 Council 8/10/2018, item 14	<ol style="list-style-type: none"> <li>1. A Transport Strategy be developed.</li> <li>2. Further Aldermanic Workshops be held prior to the commencement of community engagement for each of the Transport Strategy consultation modules.</li> <li>3. The Transport Strategy community consultation and stakeholder</li> </ol>	Director City Planning	<ol style="list-style-type: none"> <li>1. The draft Transport Strategy was presented to 9 July 2018 Council meeting. A report detailing the results of the community engagement on the Draft Transport Strategy was presented to the Committee on 19 September 2018 and endorsed by the Council on 8 October 2018.</li> </ol>

Ref	Title	Report / Action	Action Officer	Comments
		<p>Engagement commence in August/September 2016, with the first consultation module to address Freight, Port and Air.</p> <p>4. The General Manager write to major stakeholders and neighbouring councils, advising of the Council's intention to commence the development of a Transport Strategy for the City of Hobart.</p> <p>5. The Council adopt the 9 themes and position statements in the draft strategy.</p> <p>6. The actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p>		<p>2. Complete - Aldermanic Workshops undertaken.</p> <p>3. Complete - the Draft Transport Strategy was subject to community engagement in July/August 2018.</p> <p>4. Complete.</p> <p>6. Actions within the draft strategy have been reviewed. A report is now scheduled to be provided in early 2020.</p>
10	<p><b>AP14 SALAMANCA PEDESTRIAN WORKS – UPDATED CONCEPT DESIGN</b></p> <p>Council 10/10/2016, item 11 Council 9/4/2018, item 11 Council 9/7/2018, item 15</p>	<p>1. Subject to detailed design and planning approval, the next stage of the Salamanca Pedestrian Works, generally as shown on the figure 'Concept Plan – Final (7/6/2018)' in Attachment C and the figure 'Concept Plan – Materials (7/6/2018)' in Attachment D to item 6.3 of the Open City Infrastructure Committee agenda of 20 June 2018, be constructed at an estimated cost of \$3.5M, with \$1M to be allocated in the 2018 / 2019 Capital Works Program and the remaining</p>	<p>Director City Planning</p>	<p>Construction works are underway.</p> <p>The 2019 component of the works are complete.</p> <p>Construction on the 2020 component will commence in February / March.</p>



Ref	Title	Report / Action	Action Officer	Comments
		<p>\$2.5M funded over the 2019 / 2020 and 2020 / 2021 financial years.</p> <p>2. The General Manager ensure that Aldermen are updated on any significant changes to the concept design that may occur through the detailed design and construction process.</p>		
11	<p><b>ICAP AP14 - SALAMANCA PLACE BETWEEN KENNEDY LANE AND WOOBYS LANE - FOOTPATH REVIEW</b></p> <p>Council 3/4/2017, item 26</p>	<p>1. Consideration of the future management of the section of the Salamanca Place southern footpath between Kennedy Lane and Woobys Lane, occur once the 'Stage 1' footpath widening works have been completed and in operation for a minimum of six months.</p> <p>2. The General Manager develop and implement a suitable guide for the style and placement of outdoor dining barriers and umbrellas to be utilised on Salamanca Place and Hunter Street.</p> <p>3. A concept design addressing the pedestrian issue occurring on the northern side of Salamanca Place during periods when the footpaths on Castray Esplanade are inaccessible due to special events be developed and included for consideration in future budget preparations.</p>	Director City Planning	<p>1. The consultation necessary to report to the Committee has been held back so as not to complicate the consultation occurring for the wider Salamanca Pedestrian works that occurred in 2018. It is expected that consultation will occur in 2020 with reporting to Committee to follow.</p> <p>2. A Style Guide for outdoor dining barriers and umbrellas is being developed. Funding currently being sought.</p> <p>3. The provision of a footpath using temporary materials has been undertaken successfully during the Taste and Dark Mofo events. A detailed design will now be prepared.</p>

Ref	Title	Report / Action	Action Officer	Comments
12	<b>NOM - PARKLET POLICY</b> Council 24/10/2016, item 10 Council 5/6/2007, item 13 Committee 21/6/2017, item 6.4	That the matter be deferred to a subsequent City Infrastructure Committee meeting to enable further public consultation.	Director City Planning	A report addressing this matter is being finalised and will be presented to an upcoming Committee meeting.
13	<b>GREENHOUSE GAS EMISSIONS AND ENERGY USE - 2017-2018 ANNUAL REPORT</b> Committee 26/10/2016, item 6.5 Council 2/10/2017, item 17 Committee 19/9/2018, item 6.2	<ol style="list-style-type: none"> <li>1. A further report be provided in 12 months on the City's corporate greenhouse gas emissions and energy use.</li> <li>2. Opportunities for positive media about the City's achievements in regard to greenhouse gas emissions and energy use be sought.</li> </ol>	Director City Innovation	<p>Officers propose to postpone the presentation of the Greenhouse Gas Emissions and Energy Use report until early in 2020, since there are actions associated with it that will be affected by whether the Climate Change Framework and Action Plan is accepted by the City Planning Committee and Council in December 2019.</p> <p>Officers would prefer the opportunity to reassess the actions in this report depending on that outcome.</p> <p>There are also actions in the recently published Smart Cities Action Plan related to reporting energy use via a city dashboard, and officers would like to consider the format of future versions of this annual reporting and include reference to that in the report to committee.</p> <p>Media opportunities will also be sought.</p>
14	<b>SANDY BAY ROAD WALKING AND CYCLING PROJECT - REQUEST TO MODIFY DESIGN TO REMOVE PEDESTRIAN</b>	That the matter be deferred to a subsequent City Infrastructure Committee meeting for the purpose of attaining costings for the survey to be undertaken	Director City Planning	Officers are progressing the matter.

Ref	Title	Report / Action	Action Officer	Comments
	<b>CROSSING</b> Council 3/4/2017, item 29 Committee 21/11/2018, item 6.4	of the local community in relation to the installation of a pedestrian facility.		
15	<b>HILL STREET PEDESTRIAN IMPROVEMENT PROJECT</b> Council 2/10/2017, item 20	<ol style="list-style-type: none"> <li>The revised concept design for pedestrian crossing points, median lane and bicycle lanes be implemented.</li> <li>The Transport Commissioner be requested to consider a 40 km/h speed limit for Hill Street (between Molle Street and Arthur Street) following the implementation of this project.</li> <li>The findings of the Midson Traffic Report (marked as Attachment C to item 6.6 of the Open City Infrastructure Committee agenda of 20 September 2017) be endorsed and the following recommendations be adopted: <ol style="list-style-type: none"> <li>A trial implementation of a wombat crossing across Hill Street (on the northern side of the Pine Street roundabout) be undertaken, subject to further consultation with directly impacted property owners, residents and businesses and all statutory advertising and approvals.</li> </ol> </li> </ol>	Director City Planning	<ol style="list-style-type: none"> <li>Complete.</li> <li>Surveys being undertaken in August 2019. A request to the Transport Commissioner will be made following completion of the surveys.</li> <li>(i). The wombat crossing trial is now complete.</li> <li>(ii). A report on the results of the wombat crossing trial will be presented to an upcoming Committee meeting.  An engineering review has occurred in 2019. Community feedback on the trial 'wombat' crossing is being sought through the CoH 'YourSay' page and closed on 13 December 2019.</li> <li>(iii). Complete.</li> <li>(iv). Complete.</li> <li>To be placed in future budgets.</li> <li>Complete.</li> <li>Complete.</li> <li>A media release will be issued when appropriate.</li> </ol>

Ref	Title	Report / Action	Action Officer	Comments
		<p>(ii) Results of the trial, including recommendations on the installation of two additional wombat crossing in Hill Street (at both Warwick Street and Patrick Street), be the subject of a further report.</p> <p>(iii) Further surveys of pedestrians and pedestrian types over a longer period (i.e. one school week) be done at the Patrick Street roundabout and the results forwarded to the Transport Commissioner for consideration of a children's crossing and adult crossing guard.</p> <p>(iv) Traffic signals not be implemented at the Arthur Street / Hill Street or Patrick Street / Lansdowne Crescent / Hill Street intersections at this time.</p> <p>4. The required funding for the installation of wombat crossings at Warwick Street and Patrick Street (if not trialled) be listed for consideration in the 2018-19 Annual Plan, with installation contingent on a successful trial and future resolution of Council.</p> <p>5. The Transport Commissioner be requested to provide assistance as may be required with the</p>		

Ref	Title	Report / Action	Action Officer	Comments
		<p>implementation of an awareness and education campaign regarding the use of wombat crossings.</p> <p>6. Midson Traffic be requested to provide a briefing to the community on the outcomes of its report.</p> <p>7. A media release be issued by the Lord Mayor and the Chairman of the City Infrastructure Committee.</p>		
16	<p><b>INSTALLATION OF FORMAL PEDESTRIAN-PRIORITY CROSSINGS</b> Council 5/6/2017, item 11</p>	<p>The Council requests a report to identify the city-wide opportunities for the installation of formal pedestrian-priority crossings, to improve both the safety and walkability' of our streets, drawing the most recent Austroads Best Practice Guides for pedestrian infrastructure, Australian Road Research Board research and advice from pedestrian organisations.</p>	<p>Director City Planning</p>	<p>The draft Transport Strategy addressed this matter and was presented to 9 July 2018 Council meeting.</p> <p>The Draft Transport Strategy was subject to community engagement in July/August 2018 and a report detailing the results of the community engagement was presented to 8 October 2018 Council meeting.</p> <p>At this meeting the Council adopted the 9 themes and position statements in the draft strategy.</p> <p>The Council also resolved that the actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p> <p>A report is now scheduled to be provided in early 2020.</p> <p>Investigation into pedestrian improvements on the Elizabeth Street and New Town corridor was undertaken in early 2018.</p>

Ref	Title	Report / Action	Action Officer	Comments
17	<b>COLLINS COURT REDEVELOPMENT - STAGE TWO</b> Council 3/7/2017, item 17	<ol style="list-style-type: none"> <li>1. The Council endorse the design shown on Attachment A to item 6.1 of the Open City Infrastructure Committee agenda of the 21 June 2017 for the purpose of stakeholder and wider public engagement.</li> <li>2. The outcomes of the stakeholder and wider public engagement in 1 above be the subject of a further report to the Council.</li> </ol>	Director City Planning	The final design for Stage 2 is nearing completion for consideration by the Council and implementation in 2019.
18	<b>CITY TO COVE CONNECTIONS</b> Council 3/7/2017, item 18	<ol style="list-style-type: none"> <li>1. That widening the footpaths in Elizabeth Street, from Collins Street, to Franklin Wharf be considered as an integral component of the Elizabeth Street Bus Mall Improvement project.</li> <li>2. That community engagement be conducted on the proposed Brooke Street to Franklin Square link.</li> <li>3. The outcomes of the community consultation in 2 above be the subject of a further report to the Council.</li> </ol>	Director City Planning	<p>This project needs to be considered in light of the recent State Government announcement concerning the major upgrade of the bus mall and the Council's recent resolution concerning the consideration of a master plan for the blocks bordered by Murray, Macquarie, Campbell and Davey Streets.</p> <p>City officers and the State Government have met to discuss its planning of its vision for the Elizabeth Street Transit Centre. The State Government has appointed a consultant to investigate the feasibility of an underground Elizabeth Street Transit Centre.</p> <p>CoH officers have met with the consultant and provided a range of information to assist with their report.</p>

Ref	Title	Report / Action	Action Officer	Comments
19	<p><b>LORD MAYOR (HICKEY)- TRANSFERRING THE CONTROL AND OWNERSHIP OF DAVEY AND MACQUARIE STREETS TO THE STATE GOVERNMENT</b> Committee 21/6/2017, item 7.2 Council 3/7/2017, item 15</p> <p><b>NOM – ALDERMAN THOMAS SHARED OWNERSHIP AND CONTROL OF DAVEY AND MACQUARIE STREET</b> Committee 25/7/2018, item 7.1</p> <p><b>MACQUARIE STREET AND DAVEY STREET, HOBART - TRANSFERRING CONTROL AND OWNERSHIP TO THE STATE GOVERNMENT</b> Council 7/5/2018, item 14 Committee 20/5/2018, Supp item 11  Committee 21/11/2018, item 6.3 Council 3/12/2018, item 13</p>	<ol style="list-style-type: none"> <li>1. The Council authorise the General Manager to make any necessary minor amendments and to affix the common seal of the Hobart City Council to the Deed of Transfer – Davey Macquarie Streets Hobart.</li> <li>2. The General Manager to consider appropriate ways to communicate the following concerns of the Council to the Department of State Growth, with the purpose of seeking clarification as to whether any of these matters will be addressed in the final Deed: <ol style="list-style-type: none"> <li>(i) General traffic and pedestrian movements on Davey and Macquarie Streets including requesting the State Government communicate with and seek the views of all land owners and business operators affected by any changes in vehicle and pedestrian movements in the two streets and take appropriate notice thereof.</li> <li>(ii) Due to the proposed clearways, whether the current pedestrian bulbing infrastructure installed by the Council will remain;</li> <li>(iii) Clarification on whether the current bus stops installed along Davey and Macquarie Streets will remain or will passengers be</li> </ol> </li> </ol>	Director City Amenity	<p>Davey and Macquarie Streets were proclaimed as State managed highways as published in the Tasmanian Government Gazette on Wednesday 26 December 2018</p> <p>Letter sent to the Minister on 5 December 2018.</p> <p>Further letter sent to Commissioner of Transport in December 2018.</p> <p>Transfer of roads asset data to Department of State Growth completed.</p> <p>Transfer of street lighting in progress.</p> <p>Meetings are occurring between officers of both organisations to progress these matters.</p>

Ref	Title	Report / Action	Action Officer	Comments
		<p>required to use the Elizabeth Street Bus Mall when using the South Hobart, Tolmans Hill, Kingston etc Metro services; and</p> <p>(iv) The ingress and regress of traffic movements along both Davey and Macquarie Streets.</p>		
20	<p><b>PETITION - SANDY BAY SHOPPING PRECINCT FOOTPATHS - OPPOSING CHANGE TO OUTDOOR DINING AREAS AND BUS STOP LOCATIONS</b></p> <p>Council 7/8/2017, item 10 Council 4/9/2017, item 14</p>	<p>1. The General Manager proceed with the implementation of the Council resolution of 12 October 2015, by progressing the relocation of occupation licence areas and signboards away from the building line in the Sandy Bay Shopping Precinct.</p> <p>2. The Council develop a new formal policy, building on the Council resolution of 12 October 2015, which provides guidance on the placement of outdoor dining in Hobart streets, taking into consideration the width of footpaths and traffic speed suitable for outdoor dining.</p> <p>(i) Further options such as parklets, be explored for outdoor dining in narrow footpath areas.</p>	Director City Planning	<p>1. Complete – change occurred from 1 November 2017.</p> <p>2. Officers are progressing the matter.</p> <p>2(i) A report addressing this matter will be provided in 2020.</p>
21	<p><b>PETITION - UPGRADE OF THE SCHOOL CROSSING IN FORSTER STREET, NEW TOWN</b></p>	<p>1. The following recommendations to further improve the safety of the children's crossing in Forster Street at</p>	Director City Planning	<p>1(a) Complete</p> <p>1(b)(c) Officers are progressing the other matters in liaison with the Department of State Growth.</p>



Ref	Title	Report / Action	Action Officer	Comments
	Council 21/8/2017, item 6 Council 18/12/2017, item 6.2	<p>New Town Primary School be endorsed:</p> <p>(a) The Department of State Growth be requested to ensure that the renewal of the line marking in Forster Street, New Town be prioritised to be completed prior to the commencement of the 2018 school year;</p> <p>(b) Work with the Department of State Growth to review and revise the operating times of the variable 40 km/h school zone signage to ensure that it is consistent with the start and finish times of the school; and</p> <p>(c) Continue to work with the Department of State Growth's Road Safety Branch to improve the conspicuousness of the children's crossing through either improved signage or the trialling the use of flashing lights as an alternative to the flags.</p> <p>2. An offer be made to New Town Primary School giving them the option of participating in an Active Routes to School workshop.</p> <p>3. The organiser of the petition be advised of the Council's decision.</p>		<p>2. Offer extended to New Town Primary School by Bicycle Network to participate in an Active Routes to School workshop.</p> <p>3. Complete.</p>

Ref	Title	Report / Action	Action Officer	Comments
22	<b>NEW TOWN RETAIL PRECINCT - PROPOSED STREETSCAPE CONCEPT</b> Council 18/12/2017, item 6.1 Council 4/6/2018, item 11	<ol style="list-style-type: none"> <li>1. The streetscape upgrade be implemented, based on the concept design proposal, with detailed design to be undertaken in 2018 and construction to commence in early 2019.</li> <li>2. In the event the consultation process results in an increase in costs, the details be advised to the Council.</li> </ol>	Director City Planning	Works are underway.
23	<b>PETITION - PEDESTRIAN (ZEBRA) CROSSING ON CREEK ROAD, LENA VALLEY</b> Council 7/5/2018, item 11	<ol style="list-style-type: none"> <li>1. The following recommendations to further improve the safety of the pedestrian (zebra crossing) on Creek Road, Lenah Valley be endorsed: <ol style="list-style-type: none"> <li>(a) Investigate and if feasible, list for consideration in the Capital Works Program the provision of a "continuous footpath" across the Wellwood Street intersection at Creek Road to improve pedestrian access to Lenah Valley Primary School;</li> <li>(b) Officers continue to progress the City of Hobart Active Travel Report and Active Routes to School programs in the greater Hobart area (as per the Council resolution of 2 October 2017); and;</li> <li>(c) A wombat crossing be considered for Creek Road, after the Hill Street trial has been assessed.</li> </ol> </li> </ol>	Director City Planning	<ol style="list-style-type: none"> <li>1(a) Funding for this project has been provided through the 2019-20 Vulnerable Road User grant program. Design work is underway.</li> <li>1(b) Being progressing in conjunction with Bicycle Network.</li> <li>1(c) Awaiting results of the Hill Street wombat crossing trial.</li> <li>2. Complete.</li> <li>3. Complete.</li> </ol>

Ref	Title	Report / Action	Action Officer	Comments
		<ol style="list-style-type: none"> <li>2. The Council write to the Road Safety Branch of the Department of State Growth requesting that consideration be given to the allocation of a second School Crossing Patrol Officer to be in attendance and assist with pedestrians using the zebra crossing during peak times.</li> <li>3. The organiser of the petition be advised of the Council's decision.</li> </ol>		
24	<b>CITY OF HOBART TRANSPORT STRATEGY – ENGAGEMENT REPORT</b> CIC 9/12/2015 Council 9/7/2018 item 14 Council 8/10/2018, item 14	<ol style="list-style-type: none"> <li>1. The report of the Manager Traffic Engineering and the Director City Infrastructure titled <i>Draft Transport Strategy - Engagement Report</i> marked as item 6.1 of the Open City Infrastructure Committee agenda of 19 September 2018 be received and noted.</li> <li>2. The Council adopt the 9 themes and position statements in the draft strategy.</li> <li>3. The actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</li> </ol>	Director City Planning	<p>At this meeting the Council adopted the 9 themes and position statements in the draft strategy.</p> <p>The Council also resolved that the actions contained in the draft strategy be reviewed in light of the feedback received and a further report be provided.</p> <p>A report is now scheduled to be provided in early 2020.</p>

Ref	Title	Report / Action	Action Officer	Comments
25	<b>TAP WATER REFILL PROGRAM</b> Council 6/8/2018, item Council 6/5/2019, item 12	<p>That the 'Public Drinking Water Facility Upgrade' Program be implemented over a 3 year timeframe, at an estimated cost of \$30,000 per year to be funded from the Solid Waste Strategy and Project Budget Function.</p> <p>(i) The City continue to negotiate with TasWater to enter into a partnership arrangement in respect to the installation costs.</p> <p>Initiatives to reduce the use of single use plastics within the Council's operations continue to be identified and implemented, and the Council endorse a Waste Reduction Statement of Commitment marked as Attachment C to item 6.3 of the Open City Infrastructure Committee agenda of 17 April 2019.</p> <p>The City's playgrounds and sportsgrounds that would benefit with the installation of public drinking water facilities be identified and prioritised as part of the 'Public Drinking Water Facility Upgrade' program.</p> <p>(i) Investigations also be undertaken to implement currently available technology that can be affixed to existing public drinking water facilities to monitor water usage.</p>	Director City Amenity	<p>A draft proposal to TasWater has been prepared.</p> <p>Salamanca Market has formally removed single use plastic bags from circulation at the event, which commenced June 2019.</p> <p>The City is progressing in prioritising playgrounds and sportsgrounds for drinking water facilities.</p>

Ref	Title	Report / Action	Action Officer	Comments
26	<b>99 STEPS, WEST HOBART</b> Council 8/10/2018, item 12 Council 6/5/2019, item 14	<ol style="list-style-type: none"> <li>1. Works be undertaken to improve the amenity and safety of the small set of steps at the top of 99 Steps, West Hobart including the installation of a seat and fence, along with a ramp and new steps on the opposite side of Liverpool Street at an estimated cost of \$25,000 in 2019-2020 to be funded from the City Laneways Access and Lighting Upgrades budget allocation.</li> <li>2. Stormwater works including extension of a stormwater main along Liverpool Street and installation of drainage pits be constructed in 2020-2021 as part of a road and stormwater upgrade project to address flooding issues, subject to funding approval in the 2020-2021 budget.</li> <li>3. Works to fully upgrade the 99 Steps walkway to full compliance with engineering standards and installation of bicycle channel be considered in the development of a City Laneways Strategy and Action Plan.</li> </ol>	Director City Amenity	<p>Design currently underway for the laneway with a planned construction in the 19/20 program</p> <p>Stormwater design to commence in 19/20 with the aim of starting the construction works in 20/21</p>
27	<b>SINGLE-USE PLASTICS BY-LAW AND REGULATORY IMPACT STATEMENT</b> Council 4/3/2019, item 12	<ol style="list-style-type: none"> <li>1. The Council resolve (by absolute majority) of its intention to make the Single-use Plastics By-law.</li> <li>2. The Council delegate authority to the General Manager to present the Single-use Plastics By-law and Regulatory Impact Statement to the</li> </ol>	Director City Planning	The Council decision is being actioned.

Ref	Title	Report / Action	Action Officer	Comments
		<p>Director of Local Government for a certificate of approval, pursuant to section 156A of the Local Government Act 1993.</p> <p>3. Subject to a certificate of approval from the Director of Local Government, the Council delegate authority to the General Manager to give notice of the proposed by-law in order to advertise a formal public consultation process, whereby the by-law and associated regulatory impact statement are made available to the public for inspection and comment.</p> <p>4. Following the commencement of the by-law, penalties not be enforced until December 2020.</p>		
28	<p><b>PROPOSAL FOR A TRAM DISPLAY AND WORKSHOP FACILITY - HOBART REGATTA GROUNDS</b></p> <p>Open Council 3/6/2019, item 12</p>	<p>That the concept plans for a proposed tram display and workshop facility, located at the Hobart Regatta Grounds, be endorsed.</p> <p>Hobart Tram Restoration and Museum Society Inc be authorised to seek funding opportunities to allow the project to proceed.</p> <p>(i) Should funding be obtained for the project, the General Manager be authorised to progress any necessary arrangements to allow a development application to be submitted, and to commence lease</p>	Director City Amenity	<p>Funding opportunities are being explored</p> <p>Planning and design toward the lodgement of a Development Application for the proposal is progressing</p>

Ref	Title	Report / Action	Action Officer	Comments
		negotiations over the land that would be the subject of a future report to the Council.		
30	<b>71 LETITIA STREET, NORTH HOBART - PARTIAL DEMOLITION, SUBDIVISION (ONE ADDITIONAL LOT) AND ALTERATIONS TO CAR PARKING</b> Open Council 17/6/2019, item	The City Infrastructure Committee be requested to address on-street parking in the area of the development.	Director City Planning	The Council decision is being actioned.
31	<b>ELIZABETH STREET PRECINCT UPGRADE</b> Open Council 8/7/2019, item 12	<ol style="list-style-type: none"> <li>1. That a draft concept design for the Elizabeth Street Precinct upgrade be developed with consideration of the Project Action Team's principles, desired outcomes and recommendations, as outlined in Attachment A to item 6.1 of the Open City Infrastructure Committee agenda of 19 June 2019.</li> <li>2. The draft concept design for the Elizabeth Street Precinct upgrade be communicated to Elected Members by way of a briefing, prior to further targeted consultation with key stakeholders, landlords and property owners.</li> <li>3. A further report be provided to the Council following key stakeholder engagement and prior to broader</li> </ol>	Director City Planning	Concept design work has commenced.

Ref	Title	Report / Action	Action Officer	Comments
		community consultation on the draft concept design.  4. A detailed report addressing the potential loss of car parking within the Elizabeth Street Precinct be referred to the Finance and Governance Committee at the appropriate time.		
32	<b>PROPOSAL FOR A COOPERATIVE RESEARCH CENTRE - WASTE AND PLASTIC POLLUTION</b> Open Council 8/7/2019, item 13	That the City continue to liaise with the University of Tasmania to progress an application for a Waste and Plastic Pollution Cooperative Research Centre (CRC) under the CRC-P Project Grant Program, funded by the Federal Department of Industry, Innovation and Science, and negotiate with the Local Government of Tasmania to take a lead role with this initiative.	Director City Amenity	Local Government Association of Tasmania (LGAT) has been briefed to formalise the request for them to take a lead role.  A meeting has been held with LGAT, UTas, Curtin University, University of Sydney, and RMIT to progress the initiative.
33	<b>RESPONSE TO A PETITION - PURA MILK FACTORY, LENA VALLEY - HEAVY VEHICLES</b> Open Council 8/7/2019, item 14 CIC 24/7/2019, item 6.5	1. The Council decline the following requests of the petitioners, on the grounds outlined in the officer's report, listed as item 6.4 of the City Infrastructure Committee agenda of 19 June 2019:  (i) The immediate cessation of Pura truck movement between the hours of 7pm and 7am in the Augusta Road/Giblin Street corridor.	Director City Amenity	The Council decision is being actioned. A meeting with Pura Milk and the City is being organised.  Petitioner has been advised of the outcome of the Council resolution.



Ref	Title	Report / Action	Action Officer	Comments
		<p>(ii) The immediate introduction of a 5-tonne heavy vehicle weight limit in the Augusta Road/Giblin Street corridor.</p> <p>(iii) The immediate resurfacing of Augusta Road with noise abating bitumen between Edge Avenue and Giblin Street.</p> <p>2. The City continue to work with Pura Milk in respect to mitigating the effects of noise from heavy vehicle movements within the Augusta Road/Giblin Street corridor, with a further report to be provided to the Council.</p> <p>The Council note the comments of the petitioner in its dealings with Pura Milk in respect to mitigating the effects of noise from heavy vehicle movements within the Augusta Road/Giblin Street corridor.</p> <p>Council officers expedite its discussions with Pura Milk in respect to mitigating the effects of noise from heavy vehicle movements within the Augusta Road/Giblin Street corridor.</p> <p>3. The Council write to the Federal Member for Clark, Mr Andrew Wilkie, to lobby the Federal Government on behalf of the City to seek funding to resurface Augusta Road with noise</p>		

Ref	Title	Report / Action	Action Officer	Comments
		<p>abating bitumen between Edge Avenue and Giblin Street.</p> <p>4. The petitioners be advised of the Council decision.</p> <p>(i) The correspondence to include the Council's intent to write to the Federal Member for Clark seeking funding to resurface Augusta Road with noise abating bitumen between Edge Avenue and Giblin Street.</p>		
34	<p><b>REQUEST FOR SPEED LIMIT REDUCTION IN DEGRAVES STREET AND APSLEY STREET, SOUTH HOBART</b></p> <p>Open Council 5/8/2019, item 11</p>	<p>1. That the Council write to the Transport Commissioner requesting a change to the speed limit on Degraives Street and Apsley Street, South Hobart from the current default urban speed limit of 50 km/h to 40 km/h.</p> <p>(i) The submission to include a report detailing the characteristics of the road (as per the requirements of the Transport Commissioner).</p> <p>2. Consideration of wider area speed limit reductions in residential areas be included as an action in the City of Hobart Transport Strategy Action Plan.</p> <p>3. The management and staff of Child's Play Early Learning Centre communicate to all parents and carers</p>	Director City Planning	<p>Officers are progressing the matter.</p> <p>A draft plan has been prepared and sent to the Department of State Growth for comment.</p>

Ref	Title	Report / Action	Action Officer	Comments
		who are responsible for the drop-off and pick-up of children attending the Centre, that dedicated parking spaces for this purpose are available and accessible via Syme Street, South Hobart.		
35	<b>CAMPBELL STREET (BETWEEN LIVERPOOL STREET AND COLLINS STREET) - TRIAL TRAFFIC MANAGEMENT ARRANGEMENTS FOR ROYAL HOBART HOSPITAL K-BLOCK</b> Council 9/9/19, item 15	<p>That a trial of the traffic and parking arrangements for Campbell Street between Liverpool Street and Collins Street be approved for an initial period of at least 12 months from the opening of the Royal Hobart Hospital K Block.</p> <p>A report on the operation of the traffic management and parking arrangement be provided following the 12 month trial to enable Council to consider a more permanent arrangement in Campbell Street.</p> <p>The Council authorise the General Manager to negotiate with the Royal Hobart Hospital administration for a contribution towards upgrading the reinstated footpath (in Campbell Street adjacent to the Royal Hobart Hospital) from asphalt to unit paver materials.</p>	Director City Planning	The installation of traffic and parking arrangements for Campbell Street between Liverpool Street and Collins Street has been completed.
36	<b>STATE GOVERNMENT DRAFT WASTE ACTION PLAN - RELEASE FOR COMMENT</b> Council 9/9/2019, item 16	That the Council endorse the Draft Waste Action Plan Actions Assessment to form the basis of the City's submission to and its discussions with the Local Government Association of Tasmania (LGAT) to inform	Director City Amenity	A copy of the final submission lodged by the Local Government Association of Tasmania has been provided to the Elected Members

Ref	Title	Report / Action	Action Officer	Comments
		<p>LGAT's submission on the Draft State Government Waste Action Plan on behalf of all Councils.</p> <p>(i) A copy of the final submission lodged by the Local Government Association of Tasmania be provided to the Elected Members.</p> <p>The General Manager be authorised to negotiate the inclusion of the outcomes of the State Government Waste Action Plan into the Greater Hobart Act 2019 'Work Program'.</p>		
37	<p><b>INSTALLATION OF TRAFFIC SIGNALS - INTERSECTION OF COLLINS STREET AND MOLLE STREET</b></p> <p>Council 9/9/2019, item 17</p>	<p>That the installation of traffic signals at the intersection of Molle Street and Collins Street to improve the safety and amenity of pedestrians and cyclists be supported.</p> <p>(i) Subject to the proposed bulbing in Molle Street being reduced in length to accommodate a further two car parking spaces.</p> <p>The General Manager be authorised to negotiate with the landowner of 40 50 Molle Street for the incorporation of the existing driveway and associated 'right of way' utilised by pedestrians and cyclists into the proposed traffic signals, including the transfer of any land necessary to facilitate that installation.</p> <p>A further report be provided on the possible use of different surface</p>	Director City Planning	The Council decision is being actioned.

Ref	Title	Report / Action	Action Officer	Comments
		treatments to highlight the pedestrian crossings.		
38	<b>LIVERPOOL STREET, HOBART - EMBANKMENT REMEDICATION</b> Open Council 7/10/2019, item 11	<p>Remediation works of the flood damaged section of 367-377 Liverpool Street, Hobart retaining the existing Liverpool Street road geometry, addressing drainage issues and rehabilitating the road pavement, at an estimated cost of \$370,000, be approved.</p> <p>Funding of \$92,000 be allocated from the City's Roads Strategy and Projects Budget Function in the 2019-20 Annual Plan to augment the funds to be provided by the Federal Government Natural Disaster Relief arrangement.</p>	Director City Amenity	Development of Detailed Designs in accordance with the Council decision is progressing
39	<b>WATER BOTTLE REFILL PROGRAMS - A REVIEW OF THE CHOOSE TAP PROGRAM</b> Open Council 7/10/2019, item 12	<p>The Council adopt the 'Tap' App program to encourage the refilling of water bottles, as a means to reduce the level of use of plastic water bottles and subsequent risk of single-use water bottles becoming litter.</p> <p>(i) The initiative be promoted to the City's relevant retailers and City residents and visitors.</p> <p>(ii) The location of the City's water drinking fountains be loaded into the App.</p> <p>The cost of the program, estimated at \$1,100 per annum (noting \$0 cost of the App, an estimated cost of \$300 for the</p>	Director City Amenity	<p>City of Hobart water fountains have now been listed on the Tap App.</p> <p>2 new public fountains have been installed with a launch to be held in March 2020.</p> <p>Complete</p>

Ref	Title	Report / Action	Action Officer	Comments
		printing of promotional stickers with the balance being anticipate staff costs to support the program), be funded within the City's Cleansing and Solid Waste Budget Function in the 2019-20 Annual Plan.		
40	<b>PETITION - WEERONA AVENUE FLOOD PROTECTION</b> Open Council 21/10/2019, item 6.1	The Acting General Manager tabled a petition from Mr Eric Pinkard calling for the Council to construct open stormwater drains along the back of Weerona Avenue residences on the western side of the street and any other necessary measures to mitigate the threat of flood damage for all residences in the street.  There were 23 signatories to the petition. That the petition be received and noted and referred to the appropriate committee	Director City Amenity	The request is under investigation.
41	<b>454-462 CHURCHILL AVENUE, SANDY BAY - SHARED ACCESS</b> Open Council 4/11/2019, item 11	<ol style="list-style-type: none"> <li>1. The report titled '454-462 Churchill Avenue, Sandy Bay - Shared Access' be received and noted.</li> <li>2. The following works be implemented on the shared access servicing 454 to 462 Churchill Avenue, Sandy Bay: <ol style="list-style-type: none"> <li>(i) Installation of a skid/slip resistant surface on the shared access;</li> <li>(ii) Construction of a small (~16m<sup>2</sup>) area of concrete hardstand within the road reservation opposite the driveways to 454</li> </ol> </li> </ol>	Director City Amenity	Detailed Design for the proposed works have been referred to the Residents. Procurement for the works is underway.

Ref	Title	Report / Action	Action Officer	Comments
		<p>and 456 Churchill Avenue to provide extra turning/manoeuvring area for vehicles at the top of the shared access;</p> <p>(iii) Removal of steps leading into 456 Churchill Avenue located within the highway reservation;</p> <p>(iv) Installation of traffic markers (flexible bollards) near the driveway entrance to 454 Churchill Avenue to assist drivers when manoeuvring in and out of this driveway; and</p> <p>(v) Installation of a small 200mm high retaining structure at the edge of driveway and minor regrading of the driveway entrance to 454 Churchill Avenue to provide some improvement to the cross fall of the driveway.</p> <p>3. Further detailed design to be carried out for construction documentation.</p> <p>4. The General Manager be delegated authority to negotiate an occupation licence to allow for a fence and gate at the rear of 462 Churchill Avenue, in a location that does not impact on the turning manoeuvring of vehicles in the road reservation.</p>		

Ref	Title	Report / Action	Action Officer	Comments
		<ol style="list-style-type: none"> <li>5. The General Manager be delegated authority to negotiate the relocation of the rear driveway of 462 Churchill Avenue, subject to the provision of a suitable area adjacent to the driveway entrance of 462 Churchill Avenue for placement of wheelie bins for 454, 456, and 458 – 460 Churchill Avenue.</li> <li>6. The costs associated with the proposal, estimated at \$90,000 be funded from the City's Road Strategy and Projects Budget Function within the 2019-20 Annual Plan.</li> <li>7. The owners of 454, 456, 458-460, and 462 Churchill Avenue, Sandy Bay to be notified of Council resolution.</li> </ol>		
42	<b>ELIZABETH STREET BUS MALL - SOUTH WEST SIDE UPGRADE</b>  Open Council 16/12/2019, Item 11	<ol style="list-style-type: none"> <li>1. The upgrading of the south-west side of Elizabeth Street between Collins Street and Macquarie Street as described in 'Option 2' in the plans forming Attachment A to item 6.2 of the Open City Infrastructure Committee agenda of 11 December 2019 be approved for construction subject to the necessary statutory approvals being obtained.</li> <li>2. The General Manager be authorised to lodge a development application for the upgrading of the south-west side of the Elizabeth Street Bus Mall.</li> </ol>	Director City Planning	The Council decision is being actioned



Ref	Title	Report / Action	Action Officer	Comments
		3. The General Manager be authorised to sign and affix the common seal of the Hobart City Council to the Grant Deed for a funding contribution towards the new bus shelter from the Tasmanian Government.		
43	<b>HUON ROAD - UPHILL BICYCLE PASSING OPPORTUNITY PROJECT</b> Open Council 16/12/2019, Item 12	1. The General Manager be authorised to sign and attach the common seal of the City of Hobart to the grant deed when received for the provision of passing opportunities for vehicle drivers to safely pass uphill bicycle riders on Huon Road.  2. On completion of part 1 of the recommendation, the City of Hobart proceed to procurement of the proposed works for the provision of passing opportunities for vehicle drivers to safely pass uphill bicycle riders on Huon Road between Stephenson Place and 432 Huon Road, as detailed in the concept design drawings provided as Attachment A to item 6.3 of the Open City Infrastructure Committee agenda of 11 December 2019.	Director City Planning	The Council decision is being actioned
44	<b>CAMPBELL STREET AND ARGYLE STREET BICYCLE CONNECTIONS</b>	1. The initial concept design for bicycle facilities on Argyle Street, Campbell Street, Liverpool Street and Bathurst Street, including sections of	Director City Planning	The Council decision is being actioned

Ref	Title	Report / Action	Action Officer	Comments
	Open Council 16/12/2019, Item 13	<p>separated cycleways is provided as Attachment A to item 6.4 of the Open City Infrastructure Committee agenda of 11 December 2019 be used as the basis to commence public engagement with key stakeholders in early 2020.</p> <p>(i) That consultation occur with relevant stakeholders, in particular, property owners, land owners, residents and lease holders of the affected streets.</p> <p>(ii) The facilities be trialled for a one year period.</p> <p>2. A further report detailing the proposal be provided to the Council following the public engagement with key stakeholders.</p> <p>3. A report be provided on the feasibility of introducing priority car pool and bus lanes on Campbell and Argyle Streets.</p>		
45	<p><b>ARRANGEMENT TO WORK COOPERATIVELY ON WASTE MANAGEMENT AND RESOURCE RECOVERY - SOUTHERN TASMANIAN MOU</b></p> <p>Open Council 16/12/2019, Item 14</p>	<p>1. The General Manager be authorised to sign the Memorandum of Understanding for an arrangement for Southern Tasmanian Councils to work co-operatively on waste management and resource recovery issues and projects for the southern Tasmanian region.</p>	Director City Amenity	Finalisation of the MOU between all the Councils is nearing completion.

Ref	Title	Report / Action	Action Officer	Comments
		<p>(i) The City's contribution of \$13,000 per annum, be approved.</p> <p>2. The General Manager be authorised to delegate an employee to be a member of the steering committee.</p>		

**8. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**The General Manager reports:-**

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

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

**8.1 Roadworks on Newdegate Street****File Ref: F19/152596; 13-1-10**

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Memorandum of the Director City Amenity of 6 February 2020 and attachments.

**8.2 Vacant Land on Tasman Highway****File Ref: F19/152604; 13-1-10**

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Memorandum of the Director City Planning of 20 February 2020.

**8.3 Montpelier Retreat****File Ref: F19/152601; 13-1-10**

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Memorandum of the Director City Planning of 20 February 2020.

**8.4 Angle Parking - North Hobart****File Ref: F19/160656; 13-1-10**

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Memorandum of the Director City Planning of 6 February 2020.

**8.5 Clearways - Authority to Remove Vehicles****File Ref: F19/161616; 13-1-10**

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Memorandum of the Director City Planning of 20 February 2020.

Delegation: Committee

*That the information be received and noted.*



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **ROADWORKS ON NEWDEGATE STREET**

**Meeting:** City Infrastructure Committee

**Meeting date:** 20 November 2019

**Raised by:** Deputy Lord Mayor Burnet

**Question:**

Could the Director please advise with the roadworks on Newdegate Street nearing completion, has there been consideration to include an uphill bike lane as part of these improvements?

**Response:**

The design for Newdegate Street was developed in 2017 and unfortunately was not considered at that time for any improvement opportunities for bike lanes during the scoping of the works.

However the City's Officers have since reviewed the feasibility for the installation of bike lanes and determined that, in this instance, Newdegate Street is unable to accommodate on-road bike lanes given the restricted width of the road.

Since the development of the plans for Newdegate Street, the Council resolved as follows:

*Inclusion of appropriate cycling and pedestrian facilities and street trees be considered as part of all road reconstruction projects.*

Accordingly, the scoping of all road improvement projects since that time has taken into consideration, as a standing requirement, such potential improvements.

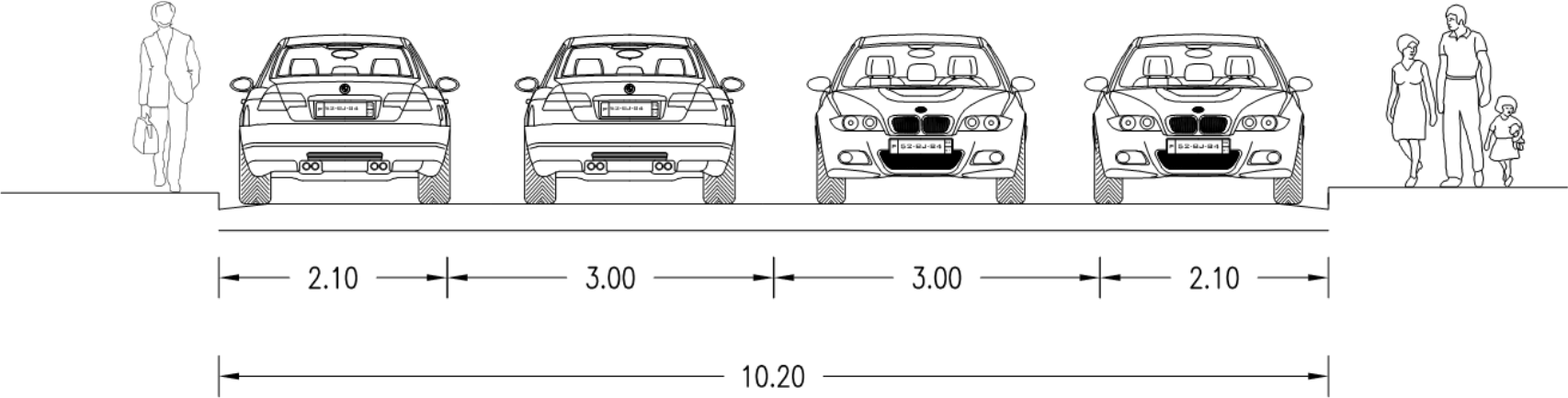
*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



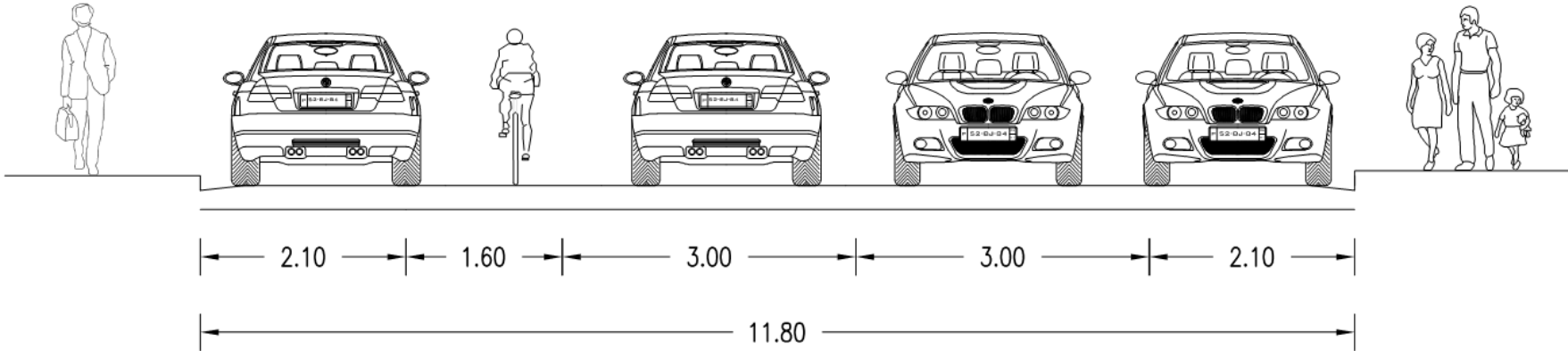
Glenn Doyle  
**DIRECTOR CITY AMENITY**

Date: 6 February 2020  
File Reference: F19/152596; 13-1-10

Attachment A: Cross Section Width - Newdegate Street ↓  
Attachment B: Cross Section Width - Uphill Cycle Lanes - Australian Standard  
↓



Newdegate St Cross Section



Minimum width required for uphill  
cycle lane.





City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **VACANT LAND ON TASMAN HIGHWAY**

**Meeting:** City Infrastructure Committee

**Meeting date:** 20 November 2019

**Raised by:** Deputy Lord Mayor Burnet

**Question:**

Could the Director please advise who owns the vacant land between the Bahai Centre and the ABC building on the Tasman Highway?

**Response:**

The current ownership of land in the area bounded by the Tasman Highway – Brooker Avenue – Liverpool Street is shown in Figure 1.

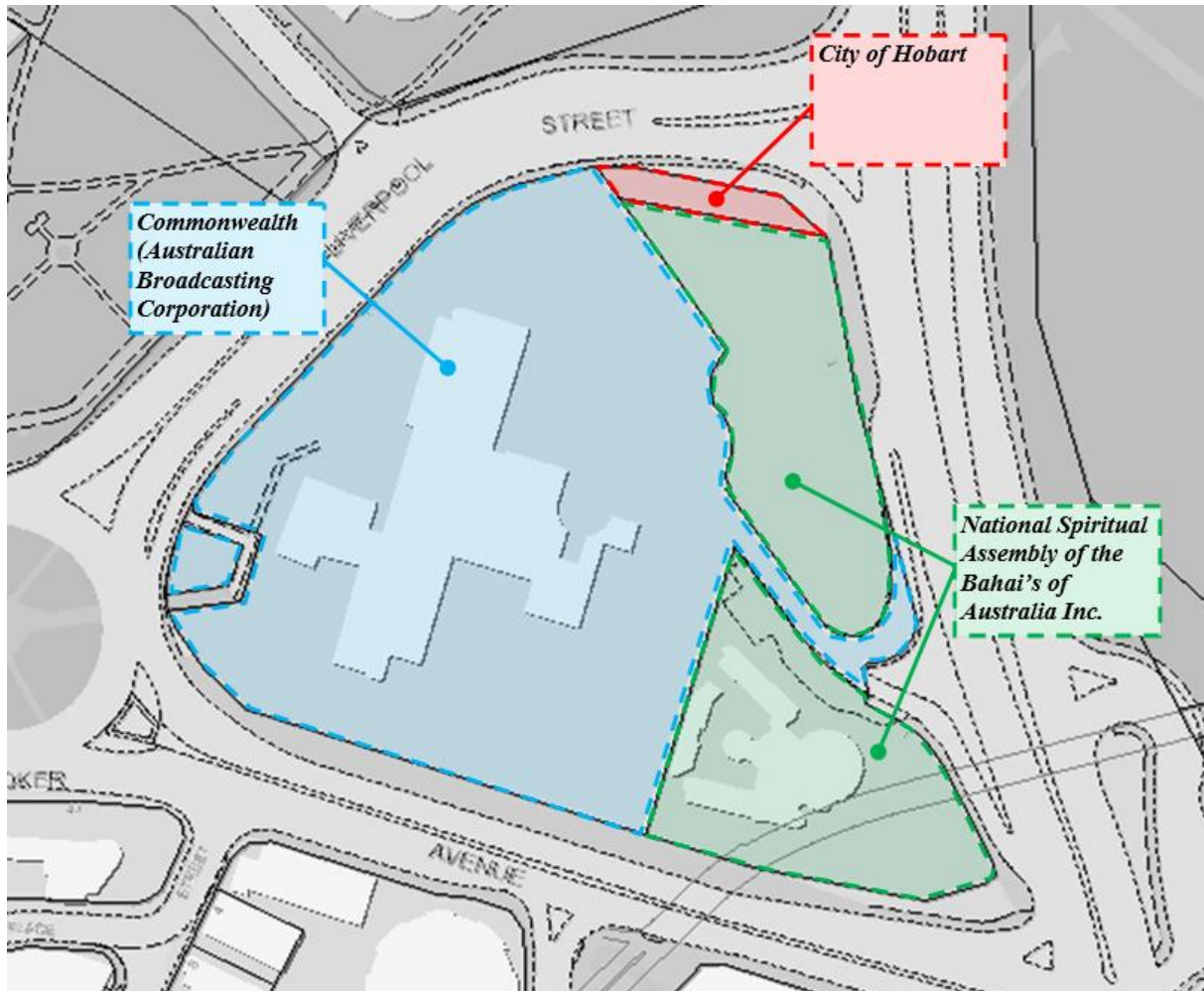


Figure 1 – Current Ownership of Land.

*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.*

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 20 February 2020  
File Reference: F19/152604; 13-1-10



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **MONTPELIER RETREAT**

**Meeting:** City Infrastructure Committee

**Meeting date:** 20 November 2019

**Raised by:** Deputy Lord Mayor Burnet

**Question:**

Could the Director please advise what is the state of play with any development on the land formerly owned by the Council on Montpelier Retreat?

**Response:**

The proponent has not submitted any new planning applications for the site to allow for its redevelopment at this stage.

*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.*

Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 20 February 2020  
File Reference: F19/152601; 13-1-10



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **ANGLE PARKING - NORTH HOBART**

**Meeting:** City Planning Committee

**Meeting date:** 9 December 2019

**Raised by:** Former Alderman Denison

**Question:**

Has the Council ever considered which wide streets in North Hobart may be suitable for angle parking?

**Response:**

In North Hobart, the widths of streets between footpaths is typically:

Arterial Roads (Elizabeth Street – Federal Street – Burnett Street)

- 15.0 metres on Federal and Burnett Streets;
- 13.0 metres on Elizabeth Street;

Local Streets (Newdegate Street – Strahan Street etc)

- 11.0 metres on Newdegate Street and Strahan Street;
- 13.0 metres on Ryde Street (one of the few local streets with additional width, which in the case of Ryde Street is currently used to provide street trees down the centre of the road);

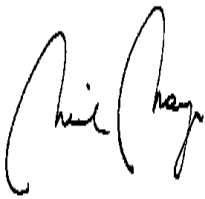
To provide angle parking on one side of a street, and to maintain parallel parking on the other side of a street, the following minimum widths are required between footpaths:

- 90 degree parking on one side, parallel parking on other side – 14.3m;
- 60 degree parking on one side, parallel parking on other side – 13.7m;
- 45 degree parking on one side, parallel parking on other side – 12.4m.

Essentially, the local streets in North Hobart do not have sufficient width to make the provision of angle parking feasible (with the exception of Ryde Street, where currently the additional width is utilised for street trees.

The arterial roads in North Hobart have more width (Federal Street and Burnett Street), but are not considered appropriate streets on which to install angle parking, given the higher volumes of vehicular traffic and in the case of Federal Street the presence of bicycle lanes making the reversing into and out of angle parking spaces problematic. The presence of bus stops, and clearway time limits (on Burnett Street) also makes angle parking problematic.

*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.*



Neil Noye  
**DIRECTOR CITY PLANNING**

Date: 6 February 2020  
File Reference: F19/160656; 13-1-10

City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## Response to Question Without Notice

### CLEARWAYS - AUTHORITY TO REMOVE VEHICLES

**Meeting:** City Infrastructure Committee

**Meeting date:** 11 December 2019

**Raised by:** Alderman Behrakis

**Question:**

What is the likely hood of Council obtaining authority to remove a vehicle from clearways and if authority is obtained, what would the cost be to Council to tow a vehicle?

**Response:**

Clearways, with the towing of vehicles illegally parked in those clearways, are common in major cities across Australia. In Hobart, following the addition of 48B to the *Roads & Jetty Act 1935* (extract below), the Department of State Growth has commenced the towing of vehicles on Davey Street and Macquarie Street.

**48B. Power to remove vehicles causing obstruction or danger**

*(1) A road authority may move, keep or impound any vehicle (and anything in, on or attached to the vehicle) that –*

- (a) is causing an unlawful obstruction; or*
- (b) is unlawfully parked or left standing in an area designated by the Minister; or*
- (c) has been left standing illegally for a period of at least 2 days; or*
- (d) has been left standing in an area in which in the opinion of the road authority the vehicle is obstructing the free movement of traffic on a road or from a driveway; or*
- (e) has been left standing in an area in which in the opinion of the road authority the vehicle constitutes a hazard to road safety.*

*(2) A road authority must return to its owner a vehicle moved, kept or impounded under subsection (1) on payment of a fee.*

*(3) The fee set for the purposes of subsection (2) must not exceed an amount that reasonably represents the cost to a road authority of impounding, moving, keeping and releasing the vehicle, including any relevant overhead and other indirect costs.*

*(4) Subject to subsection (5), a road authority may sell, destroy or give away a vehicle that has been moved, kept or impounded under subsection (1) (and anything in, on or attached to the vehicle) if the owner of the vehicle has not paid the fee under subsection (2) within 60 days of the date when the vehicle was first moved, kept or impounded.*

*(5) Before exercising the power under subsection (4), the road authority must take reasonable steps to notify the owner of the vehicle that the vehicle has been moved, kept or impounded and that it may be sold, destroyed or given away unless the specified fee is paid within 60 days.*

*(6) A road authority and anyone who obtains the vehicle from a road authority under subsection (4) is not liable to the owner of the vehicle or any other person in respect of any action taken under that subsection.*

Assuming that there was seen to be a public benefit in having Local Government in Tasmania have the Authority to tow illegally parked vehicles on roads under Local Government management, it would be a matter of having a similar clause added to the *Local Government (Highways) Act 1982*. The Council has previously written to the State Government seeking this change and associated authority.

Officers are optimistic that there will ultimately be support for the towing of vehicles parked in clearways on Local Government roads in the City of Hobart if this were seen as a way of reducing / improving congestion in and around the Hobart CBD.

In terms of the cost to Council of towing a vehicle, any towing activity would be undertaken by external contractors.

Based on current contracts with service providers for similar services (Council has no contract for towing) the direct costs would be expected to be in the order of the following:

***For Occasional Towing***

- Cost to visit site, load vehicle onto truck, return vehicle to compound for safe storage - \$280 (including gst).
- Cost to have staff member at compound to return vehicle to owner - \$80 (including gst).

***For Presence On Site Each Weekday Morning and Afternoon Peak Period***

- \$205,000 per annum (including gst).

In both cases the aim would be for the service to operate on a 'cost recovery' basis, with the vehicle owner being required to pay a set fee prior to the retrieval of their vehicle.

Under the 'Occasional Towing' scenario, response times would be unreliable, and the risk of a driver being towed would be low. By the time a vehicle had been noticed, the operator called, and the vehicle travelled to the site, it may be too late to be of benefit during that commuter period.

Having a dedicated driver and vehicle patrolling a network of clearways would be the most effective way to manage such a system.

If for example, the work were put to tender, and the tender cost to the City of Hobart was \$200,000 per annum, the net cost would be \$200,000 less the income received from the Towing / Vehicle Retrieval Fee. This would depend on the amount of the fee, and the level of compliance with the clearway restrictions.

In reality, it would be unlikely that any more than 1 vehicle would be towed in each weekday commuter peak period. At a fee of \$382 for towing, this would result in revenue of \$198,640 per annum.

The fees and fines currently charged in Tasmania and interstate are summarised in Table 1.

State	Road Authority	Clearway Parking Fine	Towing / Vehicle Retrieval Fee	Storage Fee	Vehicles Impounded?
Tasmania	State Growth	\$126	\$382.62	\$60/day after 2 days.	Yes
Victoria	VicRoads	\$165	\$361	\$15.20/day after 5 days.	Yes
	City of Melbourne		\$425	Unknown	
	City of Port Phillip		\$437	\$19.50/day after 2 days.	
New South Wales	Roads Maritime Services	\$268	\$203	No Fee (Vehicle moved to safe side road)	No
Queensland	Brisbane City Council	\$266	\$255.65	\$25.55 / day	Yes

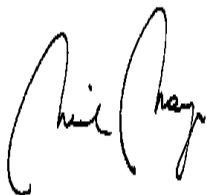
*Table 1 – Clearway Towing Fees & Charges Comparison*

*N.B – The paragraph below was added on 20 February 2020 as additional information for Elected Members. The following paragraph did not appear on the original copy of this memorandum originally circulated, and is the only alteration to the memorandum originally circulated.*

Officers are currently investigating the potential to either introduce an amendment to the City of Hobart By-Laws, or to seek an amendment to statewide legislation, to allow the City of Hobart to undertake the towing of vehicles illegally parked in clearways.

*Additional information ends.*

*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.*



**Neil Noye**  
**DIRECTOR CITY PLANNING**

Date: 20 February 2020  
 File Reference: F19/161616; 13-1-10



## **9. QUESTIONS WITHOUT NOTICE**

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

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the General Manager or the General Manager's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
  - (i) offer an argument or opinion; or
  - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
  - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
  - (ii) a written response will be provided to all Elected Members, at the appropriate time.
  - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

## 10. CLOSED PORTION OF THE MEETING

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### RECOMMENDATION

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

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion

The following items are listed for discussion:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Committee Action Status Report
Item No. 4.1	Committee Actions - Status Report LG(MP)R 15(2)(g)
Item No. 5	Questions Without Notice