



# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 31 JANUARY 2022  
AT 5:00 PM  
VIA ZOOM

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



---

## **ORDER OF BUSINESS**

---

### **PRESENT, APOLOGIES AND LEAVE OF ABSENCE**

<b>1. CONFIRMATION OF MINUTES.....</b>	<b>3</b>
<b>2. TRANSFER OF AGENDA ITEMS.....</b>	<b>4</b>
<b>3. COMMUNICATION FROM THE CHAIRMAN.....</b>	<b>4</b>
<b>4. NOTIFICATION OF COUNCIL WORKSHOPS.....</b>	<b>5</b>
<b>5. PUBLIC QUESTION TIME .....</b>	<b>5</b>
<b>6. PETITIONS .....</b>	<b>7</b>
<b>7. CONSIDERATION OF SUPPLEMENTARY ITEMS .....</b>	<b>7</b>
<b>8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST .....</b>	<b>7</b>
<b>REPORTS OF COMMITTEES .....</b>	<b>8</b>

### **CITY PLANNING COMMITTEE**

<b>9. COUNCIL ACTING AS PLANNING AUTHORITY.....</b>	<b>8</b>
9.1 1/14 Lord Street, 2/14 Lord Street, 12 Lord Street, Sandy Bay - Partial Demolition, Alterations, Extension and Two Multiple Dwellings (Two Existing and Two Proposed) .....	8
9.2 62-66 Clare Street, New Town - Partial Demolition, Alterations and Extension .....	15
9.3 30 McRobies Road, South Hobart - Outbuilding (Storage Shed) ....	22
<b>10. Monthly Building Statistics - 1 December - 31 December 2021 .....</b>	<b>25</b>
<b>11. Monthly Planning Statistics - 1 December - 31 December 2021 .....</b>	<b>26</b>

### **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

<b>12. E-Scooter Trial .....</b>	<b>29</b>
<b>13. Refugees / Asylum Seekers - Humanitarian Settlement .....</b>	<b>47</b>

### **SPECIAL REPORT – DEPUTY LORD MAYOR**

<b>14. Elected Member Professional Development Plan - Lord Mayor     Councillor Anna Reynolds.....</b>	<b>50</b>
<b>15. CLOSED PORTION OF THE MEETING.....</b>	<b>51</b>

**PRESENT:**

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J Briscoe, Dr P T Sexton, D C Thomas, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Fox, Dr Z E Sherlock, and W N S Coats.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Councillor Coats joined the meeting at 5.01pm.

Councillor Fox joined the meeting at 5.03pm and was not present for items 1 and 2 inclusive.

Councillor Fox left the meeting at 5.17pm, returning at 5.18pm.

Councillor Sherlock left the meeting at 5.20pm, returning at 5.21pm.

Councillor Fox left the meeting at 6.39pm, returning at 6.40pm.

Councillor Fox left the meeting at 7.22pm, returning at 7.29pm.

Councillor Dutta left the meeting at 7.49pm, returning at 8.02pm.

**1. CONFIRMATION OF MINUTES**

---

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Thursday 16 December 2021](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Thursday, 20 January 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

#### NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Sherlock  
Coats

The minutes were signed.

## **2. TRANSFER OF AGENDA ITEMS**

---

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

No items were transferred.

## **3. COMMUNICATION FROM THE CHAIRMAN**

---

### **3.1 Lord Mayor's Annual Report**

---

The Lord Mayor reported that as part of the role of Lord Mayor and the duties set out under the *Local Government Act 1993*, she has produced her 2020-2021 annual report.

It outlines the work that is carried out by Councillor Reynolds in her capacity as Lord Mayor to meet the eight specific functions and duties under legislation.

Some interesting statistics in key areas include:

- Receiving and responding to 1,073 individual items of correspondence
- 225 one-on-one constituent meetings, including at 27 Mayor in the Chair sessions held in places around the City.

- 511 additional meetings with organisations, businesses and government agencies and politicians; and
- Launched or opened 156 events, hosted 11 receptions, run 26 Town Hall sessions for schools and provided 77 media interviews.

The Report has been made available on the Council's website.

### **Attachments**

A Lord Mayor Annual Report 2021

## **3.2 Welcome - Director City Futures**

---

The Lord Mayor welcomed Katy Cooper who has joined the City's Executive Leadership Team as Director City Futures.

Katy will play a vital role in helping to shape our transforming city, our story telling and innovative plans that define our City as the ideal place to work, live and play.

Katy will lead the functional areas of strategic planning, city mobility, Design Lab, Welcome (Landing Pad) and Creative City.

Welcome Katy.

## **4. NOTIFICATION OF COUNCIL WORKSHOPS**

---

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

## **5. PUBLIC QUESTION TIME**

---

### **5.1 Mr Ben Lohberger - UTas Sandy Bay Campus Redevelopment**

---

On behalf of Mr Ben Lohberger, Ms Kelly Grigsby (CEO) put the following question which was taken on notice by the Lord Mayor.

Question:

Can the Hobart City Council please release the confidential two-page briefing note about UTAS that it has sent to all Aldermen and

Councillors, which reveals the Council is "keen to collaborate" with UTAS on its proposal to redevelop the Sandy Bay campus?

Can the Council please explain how it can secretly collaborate with a property developer while also operating as the planning authority that will shortly be considering planning applications from the same property developer?

A number of HCC Aldermen/Councillors have a current financial association with UTAS, or a historical financial association during the past decade. Can those elected members please reveal their current and/or historical financial links to UTAS, and clarify whether they will exclude themselves from deliberations on UTAS proposals?

## **5.2 Mr Brian Corr - Elected Member Fuel Usage**

---

Mr Brian Corr put the following question which was taken on notice by the Lord Mayor.

Question:

My question relates to the "*Elected Member Expenses Report*" (Nov.2020 to Oct.2021, copy attached) and, in particular, the following payments for "Fuel Expenses" in April 2021:

Ald Behrakis	\$497.51 excl GST = \$547.62 incl GST
Cr Coats	\$410.60 excl GST = \$451.66 incl GST

Both elected members were on 'Leave of Absence' during the claim period, April 2021, being candidates in the state election.

Ald Behrakis claimed an average of \$151.69 (incl GST) across the other 11 months of the year, so \$547.62 is a major increase, c.3.6 times the average, while on 'Leave of Absence'.

Cr Coats claimed an average of \$152.66 (incl GST) across the other 11 months of the year, so \$451.66 is a major increase, c.3 times the average, also while on 'Leave of Absence'.

A rough guess is that Ald Behrakis would have travelled c.3,000km, with Cr Coats c.2,500km, based on \$1.40 per litre and 8km per litre.

I understand that elected members have a generous petrol allowance, and that there is no separate allowance for depreciation, insurance, servicing, tyres, etc., but in my opinion, these claims, a period when on 'Leave of Absence', doesn't pass the 'pub test'.

My question is in 2 parts:

- why were these claims accepted and paid, given that they cover a period when Ald Behrakis and Cr Coats were on 'Leave of Absence'; candidates in the state election?
- may I please have a copy of the petrol-station receipts involved?

## **6. PETITIONS**

---

No petitions were received.

## **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

---

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

### **RECOMMENDATION**

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

No supplementary items were received.

## **8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

---

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

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

No interest was indicated.

## REPORTS OF COMMITTEES

### CITY PLANNING COMMITTEE

#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council is reminded that in order to comply with Regulation 25(2), the Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

##### 9.1 1/14 Lord Street, 2/14 Lord Street, 12 Lord Street, Sandy Bay - Partial Demolition, Alterations, Extension and Two Multiple Dwellings (Two Existing and Two Proposed) PLN-21-532 - File Ref: F22/4028

Ref: Open [CPC 7.1.1](#), 24/01/2022  
Application Expiry Date: 3 February 2022

That the item be referred to the Council without recommendation.

BURNET  
BEHRAKIS

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, and two multiple dwellings (two existing and two proposed), at 1/14 Lord Street, 2/14 Lord Street and 12 Lord Street Sandy Bay 7005 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-532 - 1/14 LORD STREET SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition



To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/01404-HCC dated 23 November 2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 1

Screening to a height of 1.7m above the finished floor level, with no more than 25% uniform transparency, must be installed and maintained along the western edge of the terrace above the garage prior to first occupation.

Reason for condition

To provide reasonable opportunity for privacy for dwellings.

PLN s1

No works are approved on 11 Duke Street as part of this planning permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG 3a

The access driveway, and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

*Advice:*

*It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement

of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

*Advice:*

*For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart

City Council.

## BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

## PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

## STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

## RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

## STRATA AMENDMENT

You will be required to amend strata plan 59085 pursuant to the provisions of the *Strata Titles Act 1998* in order to reflect the completed development works.

## FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

## DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

## **AMENDMENT**

SHERLOCK  
FOX

That an additional condition be included which reads:

PLN s2

The doors between the dwelling on Lot 2 and the private open space for that dwelling must be sliding doors.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Briscoe
Deputy Lord Mayor Burnet	
Zucco	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

SUBSTANTIVE MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Lord Mayor Reynolds
Zucco	Briscoe
Harvey	Sexton
Behrakis	Thomas
Fox	Dutta
Sherlock	Coats

COATS  
BRISCOE

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations, extension, and two multiple dwellings (two existing and two proposed), at 1/14 Lord Street, 2/14 Lord Street and 12 Lord Street, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solution or performance criterion with respect to clause 11.4.3 P1(b) or (c) because the proposal the new dwelling has insufficient private open space and insufficient space for gardens and landscaping.
2. The proposal does not meet the acceptable solution or performance criterion with respect to clause 11.4.3 P2(b) because the private open space will not receive any or sufficient sunlight.
3. The proposal does not meet the acceptable solution or performance criterion with respect to E6.7.3 P1 because no vehicle passing area is proposed but is required in the circumstances.

MOTION LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Briscoe	Zucco
Sexton	Harvey
Thomas	Behrakis
Dutta	Fox
Coats	Sherlock

**COUNCIL RESOLUTION:**

In the absence of a decision from the Council, this application will be determined by the Director City Planning pursuant to a delegation under section 6(3) of the *Land Use Planning and Approvals Act 1993*, as set out below:

To exercise the power of the Council as planning authority pursuant to Section 59 (7) of the *Land Use Planning and Approvals Act 1993* to determine applications where no request to make a decision has been lodged with the Resource Management and Appeal Tribunal.

**9.2 62-66 Clare Street, New Town - Partial Demolition, Alterations and Extension**  
**PLN-21-693 - File Ref: F22/4027**

---

Ref: Open [CPC 7.1.3](#), 24/01/2022

Application Expiry Date: 16 February 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension at 62-66 Clare Street, New Town 7008 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 24 January 2022 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-693 - 62-66 CLARE STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

*Advice:*

*Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.*

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. Include detailed design and supporting calculations of the detention tank showing:
  1. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
  2. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
  3. the discharge rates and emptying times; and
  4. all assumptions must be clearly stated;
2. Include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.



A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

#### Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

#### ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

#### Advice:

*For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

#### Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

#### HER 18

The Radiata Pine trees must be protected throughout excavation and post construction.

A report must be submitted for approval as a Condition Endorsement prior to the commencement of work. The report must:

1. Be prepared by a suitable qualified person; and
2. Show all tree protection zones and relevant measures specified under Section 3 Determining the Protection Zones of the Selected Trees, Section 4 Tree Protection Measures and Section 5 Monitoring

and Certification of AS 4970-2009 Protection of trees on development sites, around the Radiata Pine.

All work required by this condition must be undertaken in accordance with the approved report.

*Advice:*

*This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

OPS 3

The four Pittosporum trees identified for removal are to be removed prior to the commencement of other works.

Replacement trees will be required, two for everyone to be removed, to the satisfaction of the Director City Amenity.

On completion of planting of all trees, the developer must arrange for an installation inspection by the Council. Once all the trees have been planted to the satisfaction of the Council's Director City Amenity, the Council will issue a statement confirming satisfactory planting of all street trees.

All street trees must then be watered and maintained in a healthy state by the developer for a period of two (2) years from the date of that statement.

*Advice:*

*For further information regarding satisfaction of this condition, and to arrange an Installation Inspection by the Council, please liaise with the Council's Program Leader Arboriculture and Nursery by phoning 6238 2807.*

*A final plan showing the tree protection measures and the location of replacement plantings is to be submitted before building approval is sought or before works commence, whichever occurs sooner.*

*Once the plan has been approved, the Council will issue a condition*

*endorsement (see general advice on how to obtain condition endorsement). It is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that the amenity of public open space is maintained and that works are undertaken in accordance with the *City of Hobart Street Tree Strategy 2017* and Australian Standard AS 4970 Protection of trees on development sites.

OPS 5

All trees to be retained in the vicinity of the development site and in particular the closest *Pinus radiata* pine tree, must be protected from damage during works. Canopies, trunks and root protection zones (as defined as the Tree Protection Zone in the *Australian Standard for Protection of trees on development sites AS4970*) are to be protected from damage, or compensation will be payable.

Before works commence, tree protection fencing must be installed around the trees to be retained. No vehicular access, excavation, placement of fill, storage of materials or soil disturbance is to occur within the fencing. There must be no pruning, lopping or damage to the tree (including its trunk and roots). Details of tree protection measures must be clearly notated on any plans submitted to the Council under the *Building Act 2016*.

A final plan showing the tree protection measures and the location of replacement plantings must be submitted before building approval is sought or before works commence, whichever occurs sooner.

*Advice:*

*Once the plan has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). It is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that the amenity of public open space is maintained and that

works are undertaken in accordance with the City of Hobart Street Tree Strategy 2017 and Australian Standard AS 4970 Protection of trees on development sites and that to ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

#### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

#### BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

## PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

## NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

## WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's [website](#).

## DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

BURNET  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

## VOTING RECORD

### AYES

### NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

**9.3 30 McRobies Road, South Hobart - Outbuilding (Storage Shed)**  
**PLN-21-492 - File Ref: F22/4022**

---

Ref: Open [CPC 7.1.5](#), 24/01/2022

Application Expiry Date: 14 February 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for outbuilding (storage shed) at 30 McRobies Road, South Hobart 7004 for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 24 January 2022 and a permit containing the following conditions be issued:

**GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-492 - 30 MCROBIES ROAD SOUTH HOBART TAS 7004 - Final Planning Documents, except where modified below.

**Reason for condition**

To clarify the scope of the permit.

**ENG sw1**

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

*Advice:*

*Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.*

**Reason for condition**

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

**ENG 1**

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or

2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

#### Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

#### ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilised or re-vegetated.

#### Advice:

*For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

#### Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

#### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

#### PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

#### STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

#### FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

#### DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

BURNET  
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED



VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

**10. Monthly Building Statistics - 1 December - 31 December 2021**  
**File Ref: F22/3040**

---

Ref: Open [CPC 8.1](#), 24/01/2022

That the building statistical report of the Director City Planning be received and noted:

During the period 1 December 2021 to 31 December 2021, 46 permits were issued to the value of \$15,427,382 which included:

- (i) 25 for extensions/alterations to dwellings to the value of \$3,734,587;
- (ii) 6 new dwellings to the value of \$2,363,195;
- (iii) 27 new multiple dwellings to the value of \$3,950,000; and
- (iv) 1 major project:
  - (a) 431 Elizabeth Street, North Hobart - 27 Multiple Dwellings - \$3,950,000;

During the period 1 December 2020 to 31 December 2020, 56 permits were issued to the value of \$11,649,479 which included:

- (i) 31 for extensions/alterations to dwellings to the value of \$4,509,648;
- (ii) 7 new dwellings to the value of \$2,567,000;
- (iii) 2 new multiple dwellings to the value of \$500,000; and

(iv) 0 major projects:

In the twelve months ending December 2021, 608 permits were issued to the value of \$254,943,922; and

In the twelve months ending December 2020, 641 permits were issued to the value of \$180,406,244.

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

**11. Monthly Planning Statistics - 1 December - 31 December 2021**  
**File Ref: F22/3062**

---

Ref: Open [CPC 8.2](#), 24/01/2022

That the planning statistical report of the Director City Planning be received and noted:

During the period 1 December 2021 to 31 December 2021, 65 permits were issued to the value of \$58,775,140 which included:

- (i) 6 new single dwellings to the value of \$3,380,000;
- (ii) 1 multiple dwellings to the value of \$100,000;
- (iii) 25 extensions/alterations to dwellings to the value of \$3,252,204;

- (iv) 13 extensions/alterations to commercial properties to the value of \$27,507,136;
- (v) 2 major projects:
  - (a) 225 Harrington Street, Hobart - Partial Demolition, Alterations, New Building for Residential (Hostel), Alterations to Access and Associated Works - \$16,000,000;
  - (b) 87-91 Campbell Street, Hobart - Partial Demolition, Alterations, Extension and New Building for Residential (Communal Residence), Educational and Occasional Care, and Food Services - \$9,863,636;

During the period 1 December 2020 to 31 December 2020, 82 permits were issued to the value of \$31,591,689 which included:

- (i) 10 new single dwellings to the value of \$3,954,000;
- (ii) 19 multiple dwellings to the value of \$6,997,000;
- (iii) 43 extensions/alterations to dwellings to the value of \$7,458,964;
- (iv) 11 extensions/alterations to commercial properties to the value of \$12,992,060;
- (v) 3 major projects:
  - (a) 23 Commercial Road, North Hobart - Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works - \$9,400,000;
  - (b) 30 Romilly Street, South Hobart - Subdivision (Boundary Adjustment), 10 Multiple Dwellings (Nine New, One Existing), Works in Road Reserve and Associated Hydraulic Infrastructure - \$3,600,000;
  - (c) 125 Bathurst Street, Hobart - Partial Demolition and New Building for Seven Multiple Dwellings and Food Services - \$3,000,000;

In the twelve months ending December 2021, 735 permits were issued to the value of \$284,761,309; and

In the twelve months ending December 2020, 802 permits were issued to the value of \$300,100,753.

# This report includes permits issued, exempt and no permit required decisions.

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT  
(MEETING PROCEDURES) REGULATIONS 2015**

**12. E-Scooter Trial**  
**File Ref: F22/5642; 13-1-9**

---

Alderman Briscoe, Alderman Zucco

**Motion**

“As a matter of firm and strong leadership from the Council

That the current trial for e – scooters be paused for at least a month to enable an urgent report on the following. (Noting that the resumption of the trial would depend on the full council be satisfied with allowed areas and speeds)

A)

1. The safety or near misses issues that have arisen to be comprehensively assessed
2. The statistics on injuries be collated from ED reports or otherwise
3. Changes to the policies such as possible lower speed limits or increase the no entry zones that could be implemented to increase safety
4. The idea of having formal drop off /pick up points
5. A publicity and/or police blitz to encourage compliance
6. Other feedback from the public via emails, messages, FB comments or the Councils own e scooter portal be collated
7. Evidence that it has reduced (or not) vehicle use and congestion in the city rather than just a transfer of walking to e scooters (ie reducing active transport)
8. Evidence from the two operators on unsatisfactory practices or issues they have experienced and how they will improve
9. The suitability or physical state of the inner city footpaths to have them as a shared space with e scooters
10. Other relevant safety and regulatory information from other Australian cities
11. Consultation with the relevant disability & elderly associations.

B) The revenue to the city from the operators to be made public”

**Rationale:**

“A)

It has been stated that 20,000 e scooters journeys a week have been undertaken in Hobart leading to possibly 80,000 journeys during the trial period so far. This is a sufficient data set to do a preliminary evaluation. Many cases of people inappropriately using e scooters have been reported including doubling up, vandalism, kids under 16 using them, no helmets, inappropriate speeds and other unsafe practices.

The current Covid crisis means that the health system is under strain. It is not the right time to add further drains to Police and Health resources.

The city can reduce injuries during this time that require ED. Other cities such as Brisbane have huge number of ED presentations including serious injury deaths from conflicts with e-scooters.

Disability advocates and more senior citizens have expressed deep concerns on the use of scooters on footpaths. The concept of a footpath as a shared space with recreational vehicles could be considered to be a deeply flawed concept in hilly Hobart.

The city needs evidence based data to see whether or not congestion or vehicle use has been reduced rather than just 'good intentions'. That walking has been replaced by use of e scooters maybe is what is happening.

Our footpaths are not in a good state to have powered vehicles due to uneven and varying surfaces, narrow width, overhanging branches and business signs.

Having no formal drop-off or pickup points means that the scooters are left anywhere, often inappropriate places causing safety and other issues.

B)

That the revenue from the operators to the city is 'Commercial in Confidence' does not fit in with a good governance model when other commercial rates and fees and charges (e.g. parking) are open and transparent.”

**Administration Response to Notice of Motion**

**Discussion**

1. The City and the operators are aware that the introduction of a new mode of transport onto our footpaths has caused concerns. However, in accordance with Council's delegation to the CEO; there are daily changes made to trial conditions and riding zones, and ongoing consultation with multiple stakeholders including the State Government, Tasmania Police, the Access Advisory Committee, the Active Transport Committee, and various resident associations; and

therefore it is not considered necessary to pause the trial as these matters continue to be effectively mitigated in real-time.

2. As expected, there have been some initial teething issues associated with rolling out the city-wide trial as the City learns how best to operate this new mobility option. Introducing new transport modes into established cities can be challenging, and therefore we need to be agile in our approach.
3. Customer feedback, data and community engagement are being used to fine-tune the trial's operational methodology to improve safety and community amenity. Regular changes to allocated parking stations, no ride zones and adjustments to geofencing areas and speeds are making the trial as safe as possible for the community. The City and operators are also holding an Information Forum for older Tasmanians in February 2022.
4. The City, Department of State Growth, Tasmania Police and the trial operators are working together to promote safety, riding rules and community awareness.
5. The City of Hobart has made many changes to operating conditions over the first month. The City is now embarking on a number of more substantial changes at the conclusion of the first month of the trial. These include:
  - a. Improved and new signage to give better notice to riders, pedestrians and drivers of where scooters can be ridden and where they must not be ridden;
  - b. Signage to improve awareness of rider etiquette and parking behaviour, including designating "get off and walk" zones;
  - c. Decals and signage installed on the street to indicate preferred parking locations in busy areas;
  - d. QR codes leading to a clear summary of the new legislation.
  - e. New interactive maps on the City's website showing locations where riding is approved and prohibited, as well as speed and parking rules;
  - f. A comprehensive strategic communications and media plan to better educate riders and residents;
  - g. Better policing by operators of children using e-scooters;
  - h. Consideration of gazetting certain roads and bike lanes to open those to e-scooters;
  - i. Creation of a peak body advisory group (tourism, transport, police etc.) to meet regularly to gain better understanding of community feedback.
6. The Department of State Growth has launched a 'Ride with Respect' campaign and the operators are consulting with Tasmania Police to support local policing of illegal rider behaviour. This will coincide with vendors continuing to warn, fine, suspend and ultimately ban users

from the platform to reduce anti-social behaviour and illegal riding.

7. Public awareness of fines and rider bans is increasing as the trial progresses. The experience in other cities is that rider etiquette and behaviour improves quickly as the devices become better understood and riders begin to see that it is possible to be excluded from using them.
8. Only one operator has released ban figures. This operator has issued 92 targeted communications, 112 warnings and 3 rider bans.
9. The operators have recently recruited and deployed “safety rangers” onto the streets of Hobart to help promote rider awareness and safety. Beam’s rangers will be operational 24/7 and Neuron’s will operate from 3pm to 11pm on Friday and Saturday nights.
10. E-scooters are now removed from areas near pubs and nightclubs on Friday and Saturday nights.
11. The first monthly report has been submitted to the City by Beam and Neuron, outlining data and statistics for the first month of the trial. It is a requirement of the contract that operators report to Council all accidents and incidents involving e-scooters in Hobart. These monthly reports are commercially sensitive and not to be published. They have been made available to elected members.

## **Safety**

12. Tasmanian road crash statistics define a serious injury as an injury requiring more than 5 days stay in hospital.
13. From approximately 112,000 e-scooter trips to date in Hobart there have been 4 minor injuries and no serious injuries reported. It has not been reported that any of the 4 minor injuries required a visit to hospital.
14. By way of comparison, motor vehicles caused 35 deaths (3 per month) and 242 serious injuries (20 per month) in Tasmania in 2021.
15. There are approximately 276 times as many motor vehicle trips as e-scooter trips per month in Tasmania.
16. If an e-scooter trip carried the same risks as a motor vehicle trip, one serious injury (requiring 5 days hospitalisation) would be expected to have been recorded to date in Hobart. The actual recorded number is zero.
17. Research by the vendors suggests e-scooters are not more dangerous than bicycles and e-bikes, which have been used on Tasmanian roads and footpaths for many years.



## **Trip Statistics**

18. About 50,000 people have signed up to use the e-scooters, representing a significant percentage of Hobart's population. The number of rides taking place daily suggests that a large number of people enjoy using the e-scooters and find them a convenient and affordable mode of transport.

## **Car journeys offset**

19. A large number of the motor vehicle trips taken in Hobart are extremely short. For instance, about 16% of car trips ending in North Hobart start in North Hobart. A further 20% start in the CBD.
20. It is not yet possible for the City to accurately estimate the number of car trips replaced by e-scooter trips, as this can only be determined by means of a user survey. Such a survey is planned during the e-scooter trial. (Note that raw numbers of car journeys appear to be significantly down on 2021. However, raw numbers of car trips cannot be meaningfully compared year-on-year, as many factors, including e-scooters, may play into the low numbers this year).
21. Without access to data from a user survey, the City relies on the operators to estimate car trips replaced by e-scooter trips. These estimates are created based on long-term data in other cities.
22. Based on vendor reports it is estimated that around 50,000 car trips have been offset by e-scooter trips in the first month of the trial. This represents about 95,000 car kilometres and over 15 tonnes of CO2 emissions saved.

## **Economic benefits**

23. It is estimated by the operators that over \$500,000 of incremental spending has occurred in local hospitality and tourism businesses as a result of e-scooter trips.
24. Several dozen local jobs have been created due to the trial (38 staff with one operator, the other operator has not yet provided the figure).

## **Footpaths**

25. Hobart's footpaths are not significantly different from those in Brisbane, or in many other cities where e-scooter schemes operate. In Hobart there is also the option to ride on roads as well as on footpaths, and the City is making changes to the trial to encourage (or in some cases force) riders onto quiet streets rather than narrow footpaths. This was not encouraged immediately as it was not thought desirable to encourage novice e-scooter riders to ride on the road at a time when drivers were unaware of e-scooters. Data is now revealing places where there is a *confluence* of narrow footpaths, pedestrian

activity, quiet roads and desirable e-scooter routes, and those places will be targeted for road use rather than footpath use. For instance, some footpaths in Battery Point will soon be marked to direct riders onto the road.

26. Privately owned e-scooters, many of which were previously illegal, have been growing in popularity for several years. The introduction of legal e-scooters onto our streets was made possible by changes to the law in 2021 by the Tasmanian State Government, which recognised that mobility modes are rapidly changing around the world. The City has supported hire-and-ride e-scooters as these provide a safer and more regulated option compared with privately-owned e-scooters. Hire-and-ride e-scooters have inbuilt safety technology, are covered by insurance, can be geofenced and speed limited, have registration plates and can be blocked from areas that are deemed unsafe to ride.
27. The trial was never designed to accommodate formal pick-up and drop-off points. A major success of the model is that riders (not City Officers) determine where they should start and finish their trip on e-scooters; drivers expect to be able to do the same when they drive cars through Hobart. An extraordinary amount of land is set aside for each car to be left in a convenient spot, and there is potentially a future case to create dedicated spaces on roads or footpaths for e-scooter parking.
28. That said, there are already numerous no-parking areas and many preferred e-scooter parking locations in the City. Riders are penalised monetarily for leaving a device in a no-parking zone and given future ride credits for using the preferred spaces. These preferred spaces are currently not physically marked, as they were designed to be moved in response to the initial data from the trial. However, there are plans now to mark out certain areas for e-scooters to park in key locations, particularly in the CBD and Battery Point.
29. It is certainly true that there was significant haphazard placement of e-scooters in the opening period of the trial. The situation has improved due to geofencing, education and operator intervention. The situation will continue to improve.

#### **Commercial in confidence information**

30. Regarding the economic return to the City, there is nothing unusual in commercial contracts being confidential. Officers are not permitted to publicly disclose details of commercial relationships made with the City's suppliers. While it is true that fees and charges for parking are public information, the nature and amount of payments made to the multiple companies who provide parking services to the City (meters, boom gates, car-park cleaning, equipment and so on) are confidential. Payments made to the City by the operators of the e-

scooter trial will be a percentage of revenues earned. This percentage may be different in other cities, hence the requirement for confidentiality.

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: 5 – Movement and connectivity

- Outcome:
- 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.
  - 5.2 Hobart has effective and environmentally sustainable transport systems.
  - 5.3 Technology serves Hobart communities
- Strategy:
- 5.1.1. Improve connectivity throughout Hobart's inner city and suburbs.
  - 5.1.6 Work with stakeholders to prioritise low emission, energy efficient, renewable transport and technology initiatives, including trialling emerging solutions.
  - 5.2.2 Embrace opportunities to use innovative technologies to support and manage transport networks and improve travel experiences.
  - 5.3.1 Respond to the current trends and future opportunities of the smart cities concept and associated technologies.

### **The Connected Hobart Action Plan (2019)** contains an action: CTR10 LAST MILE MICROMOBILITY AND DATA TRIALS

This was designed as "contribution to the start of solutions to address mobility congestion problems providing shared transport options for the increasing number of city centre residents who don't own cars". It documented in 2019 the City's intention to "trial of a range of smart micro and shared mobility providers, including a small fleet of docked and parked bikes, e-bikes, e-scooters, and cars within the city's off and on-street parking facilities."

### **The Sustainable Hobart Action Plan (2020)** contains an action: MOBI-08 NEW MICROMOBILITY OPTIONS

This action says: "E-scooters, e-skateboards and e-bikes are becoming more and more common as commuting options, although they are not all legal on Tasmanian roads and footpaths. Electric tuk-tuks are another innovation replacing the noisy and polluting versions that have plied the streets of India and Asia for decades. These vehicles are efficient, quiet, non-polluting, quick, low cost and a fun way to move individuals and small groups of people around the city. The

City will continue to work with the state government, commercial operators and other stakeholders to trial (and help make legal!) new micromobility transport types, particularly to suit the short trips likely to be more common as the University of Tasmania moves its base from Sandy Bay to the city centre, bringing over 10,000 new young people into the CBD every day.

#### Legislation and Policy

Legislation: Traffic Act 1925 (Amendments November 2021)

Policy:

#### Financial Implications

1. The City will earn a revenue from the e-scooter trial, anticipated to be in the order of \$100,000 per year. This revenue will be offset by other expenditure such as staffing, signage and other related mobility infrastructure and is expected to have no negative financial impact on the City.

ZUCCO  
BRISCOE

That the following revised motion be adopted:

As a matter of firm and strong leadership from the Council:

1. The Council in conjunction with e-scooter providers undertake urgent consultations with relevant disabled and senior associations including the Anti-Discrimination Commissioner and Tasmania Police regarding the use of scooters on public footpaths with an urgent report back to the Council with outcomes by the end of 28 February 2022, or as soon as practicable thereafter.
2. That an audit of all footpaths in the permitted zones, be audited by Council officers in consultation with e-scooter operators to assess them for suitability for hire e-scooter use, taking into consideration the width of the footpath to allow for safe two-way passing, the safety of the footpath surface, the gradient of footpaths and any other relevant factor impacting rider and pedestrian safety as part of an urgent report.
3. That as part of the Audit an overlay be prepared for the use of e-scooters on all footpaths within the current use zone to determine which footpaths within the zone should be prohibited from use and which would be acceptable for use, including options in dealing with the appropriate parking of e-scooters not creating a nuisance or safety issues to others as part of the consultation process in clause 1.
4. That the necessary action be taken to lower the maximum speed on

appropriate footpaths for e-scooters from 15km to 10 km/ph.

5. That the e-scooter operators implement a Zero Tolerance policy (as per the conditions of hire) for appropriate breaches of use that is reported or known by the operators on the basis of or similar that are;
  - a. First Breach – Immediate one month suspension use
  - b. Second Breach – 3 month suspension of use
  - c. Third Breach – 1 year suspension of use
  - d. Any third party booking that allows a suspended user to use an e-scooter - immediate 6 month suspension of use
6. That the e-scooter operators immediately implement a 1300 number and or other options so members of the public are able to report any breaches of use and the detail of such breaches are reported to Tasmania Police and the Hobart City Council.
7. That a further report be prepared and prioritised within 3 to 6 months to address the following issues and concerns which have been raised by community groups, business groups, advocacy groups and members of the public
  - what the objectives are of the introduction of hire e-scooters into our city, such as reduce need for car travel
  - a summary of the policies that other Australian cities have in relation to hire e-scooter use, including permitted areas and maximum speeds
  - how the issues of e-scooter riders under the age of 16 will be addressed or the feasibility of reducing the minimum age and **in particular, any insurance issues in this situation**
  - the number and nature of safety incidents and near misses to date
  - the number and nature of (positive and negative) feedback on the trial received by the Council to date from all sources, including social media and corporate correspondence
  - the feasibility of designated pick up and drop off points and e-scooter parking
  - the statistics on injuries be collated from emergency department reports or otherwise
  - the criteria for determining no-go zones, an assessment of current and potential no-go zones and outline of the timelines and process associated with adjusting no-go zones
  - how public education will be undertaken and associated roles, responsibilities, times frames, costs and measures of success
  - the outcome of discussion with Tasmania Police in relation the capacity and capability to promote compliance and address non-compliance
  - what information and data will be used during and beyond the trial

to assess what, if any, impact the introduction of hire e-scooters is having on traffic and parking

- what, if any, impact the trial has had to date on traffic congestion and the basis on which this statement is made
- what, if any, impact the trial has had on users choosing to use an hire e-scooter rather than walking and the basis on which this statement is made
- how seasonality will impact the safety and prevalence of scooters, such as decreased usage during icy winters
- evidence from the two operators on unsatisfactory practices or issues they have experienced and how they will improve
- the feasibility of the monthly reports that are provided by the companies to the Council, being made public rather than 'commercial in confidence'
- A detailed criteria for success of the trial be provided which is made publicly available.

8. The estimated revenue the city is expected to receive from the operators and the basis on which this revenue is calculated be made public.

## **Rationale**

To many visitors and residents alike the availability of shared e scooters have enabled many to have a fun experience with a different transport device. The movers of this motion accept that. We don't want to be the 'fun police'. Neither is this motion a 'knee jerk' reaction. However, the safety of our residents and visitors should be paramount to the council. The introduction of the e scooters has been problematic and important groups such as the police were not consulted. The companies have ramped up the compliance and safety messages.

Aldermen Zucco and Briscoe have had a recent meeting with the operators of the e-scooter companies to discuss ways to improve safety. Some of the ideas discussed have been accepted by the companies in a letter to the elected members.

It has been stated that 20,000 e scooters journeys a week have been undertaken in Hobart leading to possibly 80,000 journeys during the trial period so far. This is a sufficient data set to do a preliminary evaluation. Many cases of people inappropriately using e-scooters have been reported including doubling up, vandalism, kids under 16 using them, no helmets, inappropriate speeds and other unsafe practices.

The current Covid crisis means that the health system is under strain. It is not

the right time to add further drains to Police and Health resources. The city can reduce injuries during this time that require ED. Other cities such as Brisbane have huge number of ED presentations including serious injury deaths from conflicts with e-scooters. Melbourne is currently having a trial but excludes use of footpaths.

Disability advocates, the discrimination Commission and senior citizen groups have expressed deep concerns on the use of scooters on footpaths. The concept of a footpath as a shared space with recreational vehicles could be considered to be a deeply flawed concept in hilly Hobart.

The city needs evidence based data to see whether or not congestion or vehicle use has been reduced rather than just 'good intentions'. That walking has been replaced by use of e scooters maybe is what is happening. Recent international research has shown that mode switches are occurring from more environmentally transport such as walking, cycling and public transport.

(See *Mode choice, substitution patterns and environmental impacts of shared and personal micro-mobility* Daniel J. Reck a , Henry Martin b,c , Kay W. Axhausen)

Our inner city footpaths may not in a good state to have powered vehicles due to uneven and varying surfaces, narrow width, overhanging branches and business signs hence need for a detailed audit. It is intended that e-scooters would remain allowed bike paths or shared paths such as the intercity cycleway and linear park.

Having no formal drop off or pickup points means that the scooters are left anywhere, often inappropriate places causing safety and other issues.

That the revenue from the operators to the city is 'Commercial in confidence' does not fit in with a good governance model when other commercial rates and fees and charges (e.g. parking) are open and transparent.

BRISCOE  
BEHRAKIS

That Alderman Zucco be granted an additional two minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

BURNET  
BEHRAKIS

That Alderman Briscoe be granted an additional one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

BURNET  
SHERLOCK

That Alderman Behrakis be granted an additional one minute to address the meeting.



MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

BEHRAKIS  
SHERLOCK

That Councillor Harvey be granted an additional one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

The Lord Mayor then put the motion.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

MOTION

HARVEY  
SHERLOCK

- That:
1. The Council acknowledges the high user rate and popularity of e-scooters in Hobart.
  2. The Council recognises the shortage of safe, separated bike and scooter lanes; and commits to a report to accelerating development of infrastructure to create a safer environment for pedestrians, bike riders and scooter users.

ZUCCO  
BEHRAKIS

That the vote for clause 1 and 2 be taken separately.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta

Fox  
Sherlock  
Coats

The Lord Mayor then put clause 1 of the motion.

MOTION CARRIED  
CLAUSE ONE

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

The Lord Mayor then put clause 2 of the motion.

MOTION CARRIED  
CLAUSE 2

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Behrakis
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Dutta	
Fox	
Sherlock	
Coats	

## **COUNCIL RESOLUTION:**

### **PART A**

As a matter of firm and strong leadership from the Council:

1. The Council in conjunction with e-scooter providers undertake urgent consultations with relevant disabled and senior associations including the Anti-Discrimination Commissioner and Tasmania Police regarding the use of scooters on public footpaths with an urgent report back to the Council with outcomes by the end of 28 February 2022, or as soon as practicable thereafter.
2. That an audit of all footpaths in the permitted zones, be audited by Council officers in consultation with e-scooter operators to assess them for suitability for hire e-scooter use, taking into consideration the width of the footpath to allow for safe two-way passing, the safety of the footpath surface, the gradient of footpaths and any other relevant factor impacting rider and pedestrian safety as part of an urgent report.
3. That as part of the Audit an overlay be prepared for the use of e-scooters on all footpaths within the current use zone to determine which footpaths within the zone should be prohibited from use and which would be acceptable for use, including options in dealing with the appropriate parking of e-scooters not creating a nuisance or safety issues to others as part of the consultation process in clause 1.
4. That the necessary action be taken to lower the maximum speed on appropriate footpaths for e-scooters from 15km to 10 km/ph.
5. That the e-scooter operators implement a Zero Tolerance policy (as per the conditions of hire) for appropriate breaches of use that is reported or known by the operators on the basis of or similar that are;
  - a. First Breach – Immediate one month suspension use
  - b. Second Breach – 3 month suspension of use
  - c. Third Breach – 1 year suspension of use
  - d. Any third party booking that allows a suspended user to use an e-scooter - immediate 6 month suspension of use
6. That the e-scooter operators immediately implement a 1300 number and or other options so members of the public are able to

report any breaches of use and the detail of such breaches are reported to Tasmania Police and the Hobart City Council.

7. That a further report be prepared and prioritised within 3 to 6 months to address the following issues and concerns which have been raised by community groups, business groups, advocacy groups and members of the public:
  - what the objectives are of the introduction of hire e-scooters into our city, such as reduce need for car travel
  - a summary of the policies that other Australian cities have in relation to hire e-scooter use, including permitted areas and maximum speeds
  - how the issues of e-scooter riders under the age of 16 will be addressed or the feasibility of reducing the minimum age and **in particular, any insurance issues in this situation**
  - the number and nature of safety incidents and near misses to date
  - the number and nature of (positive and negative) feedback on the trial received by the Council to date from all sources, including social media and corporate correspondence
  - the feasibility of designated pick up and drop off points and e-scooter parking
  - the statistics on injuries be collated from emergency department reports or otherwise
  - the criteria for determining no-go zones, an assessment of current and potential no-go zones and outline of the timelines and process associated with adjusting no-go zones
  - how public education will be undertaken and associated roles, responsibilities, times frames, costs and measures of success
  - the outcome of discussion with Tasmania Police in relation the capacity and capability to promote compliance and address non-compliance
  - what information and data will be used during and beyond the trial to assess what, if any, impact the introduction of hire e-scooters is having on traffic and parking
  - what, if any, impact the trial has had to date on traffic congestion and the basis on which this statement is made
  - what, if any, impact the trial has had on users choosing to use an hire e-scooter rather than walking and the basis on which this statement is made
  - how seasonality will impact the safety and prevalence of scooters, such as decreased usage during icy winters
  - evidence from the two operators on unsatisfactory practices or issues they have experienced and how they will improve

- the feasibility of the monthly reports that are provided by the companies to the Council, being made public rather than 'commercial in confidence'
  - A detailed criteria for success of the trial be provided which is made publicly available.
8. The estimated revenue the city is expected to receive from the operators and the basis on which this revenue is calculated be made public.

## **PART B**

- That:
1. The Council acknowledges the high user rate and popularity of e-scooters in Hobart.
  2. The Council recognises the shortage of safe, separated bike and scooter lanes; and commits to a report to accelerating development of infrastructure to create a safer environment for pedestrians, bike riders and scooter users.

**13. Refugees / Asylum Seekers - Humanitarian Settlement**  
**File Ref: F22/6294; 13-1-9**

---

Deputy Lord Mayor Councillor Burnet

Motion

“That the Council:

1. Advocate for the refugees and asylum seekers brought to onshore detention through medical evacuation (Medevac), approximately 30 of whom are currently held in the Park Hotel in inner Melbourne for what appears as an indefinite period.
2. Authorise the Lord Mayor to write to the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs requesting urgent humanitarian settlement of these men who seek sanctuary and a safe home in Australia.
3. Given the City’s status as a Refugee Welcome Zone, work with other stakeholders to settle those refugees and asylum seekers in Hobart, as soon as possible after leaving detention.”

BURNET  
SHERLOCK

That the recommendation be adopted with clause 2 amended to read as follows:

*Authorise the Lord Mayor to write to all Tasmanian members of the Senate and House of Representatives and the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs requesting urgent humanitarian settlement of these men who seek sanctuary and a safe home in Australia.*

SEXTON  
BRISCOE

That the vote for clauses 1 to 3 be taken separately.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

The Lord Mayor then put clause 1.

MOTION CARRIED  
CLAUSE ONE

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Behrakis
Deputy Lord Mayor Burnet	Coats
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Dutta	
Fox	
Sherlock	

The Lord Mayor then put clause 2.

MOTION CARRIED  
CLAUSE TWO



VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Behrakis
Briscoe	Coats
Sexton	
Thomas	
Harvey	
Dutta	
Fox	
Sherlock	

The Lord Mayor then put clause 3.

MOTION CARRIED  
CLAUSE THREE

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Briscoe
Thomas	Sexton
Harvey	Behrakis
Dutta	Coats
Fox	
Sherlock	

**COUNCIL RESOLUTION:**

That the Council:

1. Advocate for the refugees and asylum seekers brought to onshore detention through medical evacuation (Medevac), approximately 30 of whom are currently held in the Park Hotel in inner Melbourne for what appears as an indefinite period.
2. Authorise the Lord Mayor to write to all Tasmanian members of the Senate and House of Representatives and the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs requesting urgent humanitarian settlement of these men who seek sanctuary and a safe home in Australia.
3. Given the City's status as a Refugee Welcome Zone, work with other stakeholders to settle those refugees and asylum seekers in Hobart, as soon as possible after leaving detention.

**SPECIAL REPORT – DEPUTY LORD MAYOR**

**14. Elected Member Professional Development Plan - Lord Mayor Councillor Anna Reynolds**  
**File Ref: F22/2692**

---

FOX  
BURNET

That the recommendation contained in the Special Report of the Deputy Lord Mayor, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

**COUNCIL RESOLUTION:**

That the Professional Development Plan for the Lord Mayor Councillor Anna Reynolds, as attached to the Open Council Agenda of 31 January 2022 be received and noted.

## 15. CLOSED PORTION OF THE MEETING

---

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

- Confirm the minutes of the Closed portion of the meeting
- Leave of absence
- Legal action involving the Council
- Information provided to the Council on the condition that it is kept confidential

The following items were discussed:-

- |              |  |
|--------------|--|
| Item No. 1   | Minutes of the last meeting of the Closed Portion of the Council Meeting   |
| Item No. 2   | Communication from the Chairman  |
| Item No. 3   | Leave of Absence   |
| Item No. 4   | Consideration of supplementary Items to the agenda   |
| Item No. 5   | Indications of pecuniary and conflicts of interest   |
| Item No. 6.1 | PLN-20-868 - 2 Sayer Crescent Sandy Bay - Appeal<br>LG(MP)R 15(4)(a)   |
| Item No. 6.2 | PLN-21-559 - 66 Alexander Street, Sandy Bay - Appeal -<br>Mediation<br>LG(MP)R 15(4)(a)  |
| Item No. 7   | Risk and Audit Panel Minutes - 12 October 2021 and Special<br>Risk and Audit Panel Minutes - 20 October 2021<br>LG(MP)R 15(2)(g) |
| Item No. 8   | Risk and Audit Panel - Annual Report to Council<br>LG(MP)R 15(2)(g)  |
| Item No. 9   | University of Tasmania Rates Equivalency<br>LG(MP)R 15(2)(g)   |

BURNET  
HARVEY

That the recommendation be adopted.

MOTION CARRIED BY  
ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

There being no further business the Open portion of the meeting closed at 8.11pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
15<sup>TH</sup> DAY OF FEBRUARY 2022.

---

**CHAIRMAN**