



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 16 MAY 2022
AT 5:04 PM
COUNCIL CHAMBER, TOWN HALL

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*.



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PRESENT:

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

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Alderman Dr P T Sexton
Councillor W N S Coats

Councillor Sherlock left the meeting at 5.07pm, returning at 5.09pm and was not present of item 2.

Councillor Fox joined the meeting at 5.17pm and was not present for items 1 – 8 inclusive.

Councillor Sherlock left the meeting at 5.29pm after declaring an interest in item 17, returning at 6.15pm.

Alderman Thomas left the meeting 6.33pm, returning at 6.38pm.

Councillor Dutta left the meeting at 6.58pm, returning at 7.02 and was not present for item 13.

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 [Monday, 2 May 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

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.

BRISCOE
THOMAS

That item 17 be taken after item 8.

MOTION LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Thomas
Briscoe	Harvey
Behrakis	Dutta

DUTTA
BURNETT

That item 17 be taken after item 9.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

3. COMMUNICATION FROM THE CHAIRMAN

No communication was received.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

Date: 10 May 2022

Purpose: City Shaping Discussion and Draft Governance Framework

5. PUBLIC QUESTION TIME

5.1 Public Question Time

No public questions were received.

5.2 Responses to Public Questions Taken on Notice

BURNET
SHERLOCK

That the following response to public questions taken on notice, be received and noted.

5.2.1 Elected Member Behaviour

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Meeting date: 11 April 2022
Raised by: Mr Nathan Volf
Response Author: Kelly Grigsby

Topic: **ELECTED MEMBER BEHAVIOUR**

Question:

My question is to the elected members.

I am an avid watcher of the council and committee meetings and across the recent months a trend of behaviour in the meetings has been increasing.
These behaviours have been disrespectful and not conducive to positive debate.

I have witnessed disrespectful behaviour towards the Lord Mayor and the Deputy Mayor, who have chaired these meetings, who are talked over, their rulings disregarded and in general spoken to in a poor and disrespectful manner by in particular, by Aldermen Briscoe and Aldermen Zucco.

This has been raised in a previous question from the public but I have noticed no change/improvement in conduct of senior elected members. This comes across as ignorant of the concerns of the community and detracts from the good work of Council.

My questions are;

What is in place to address this lack of respect and to improve the standards of behaviour in a modern council?

Will the elected members hear my and others concerns over the state of debate and be more respectful and adhere to the standing orders more than they have in previous meetings?

Response:

The culture, safety and wellbeing of elected representatives is critically important and the City of Hobart is committed to working as part of a sector-wide improvement strategy with the Local Government Association of Tasmania.

The City of Hobart has a number of policies which govern Elected Member behaviour, including:

- Code of Conduct
- Elected Member Behaviour Policy
- Elected Member Fitness to Undertake Duties
- Elected Member Issues Resolution Policy
- Meeting Procedures and Guidelines

In addition, every 12 months, Elected Members are required to attest that they have received these policies and that they will abide by them.

Workplace behaviour training was offered to the current group of Elected Members as part of an induction program. Topics covered included:

- Workplace Behaviour
- Conflict of Interest
- Code of Conduct
- Cultural Awareness Training
- Inclusive Leadership

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.

The following interest was indicated:

1. Councillor Sherlock – Item 17

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 17 McVilly Drive, 13 McVilly Drive, 20 McVilly Drive, 1 McVilly Drive, 10 Evans Street and Adjacent Crown Land Hobart - Partial Demolition, Extension, Alterations and Associated Works for Partial Change of Use to Light Industry (Whisky Distillery, Eating Establishment Function Centre, Hotel and Shop PLN-21-734 - File Ref: F22/39311

Ref: Open [CPC 7.1.1](#), 9/05/2022
Application Expiry Date: 17 May 2022

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for partial demolition, extension, alterations and associated works for partial change of use to light industry (whisky distillery),

eating establishment, function centre, hotel and shop, at 17 McVilly Drive, 13 McVilly Drive, 20 McVilly Drive, 1 McVilly Drive, 10 Evans Street and adjacent crown land, Hobart 7000 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-21-734 - 17 MCVILLY DRIVE HOBART TAS 7000 - 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 2022/00206-HCC dated 23/02/2022 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6828 dated 20 April 2022, as attached to the 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, 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).

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 tr1

Traffic management within the access driveway, circulation roadway and parking module (parking spaces and aisles) must be installed prior to the commencement of the use.

Traffic management design drawing(s) (including signage and line marking), must be submitted and approved as a Condition Endorsement, prior to commencement of the use. The design drawing(s) must include (but not be limited to):

1. Be prepared by a suitably qualified person;
2. Signage indicating the construction zone;
3. Pedestrian safety bollards where necessary;
4. Delineation of pedestrian pathways along the shared vehicular circulation roadway (including access to both tenancies off of the circulation roadway); and
5. Traffic calming devices within the car park circulating area to ensure that traffic speeds are low for vehicles circulating within the car park.

All work required by this condition must be undertaken in accordance with the approved traffic management design drawings.

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

In the interests of user safety and the amenity of the occupiers of the development.

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.
5. Nominate a superintendent, or the like, to be responsible for the implementation of the approved traffic management plan and available as a direct contact to Council and/or members of the community regarding day to day construction traffic operations at the site, including any immediate traffic issues or hazards that may arise.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

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 the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 4

The access driveway, access to the building and parking module for the disabled parking spaces 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 first occupation / commencement of use.

Reason for condition

To ensure DDA users can safely navigate the car park and access ramps.

ENG 5

A maximum of one (1) bus parking space is allowed on site at any one time. The number of visitor car parking spaces approved to be used on the site is zero (0).

The number of staff car parking spaces approved to be used on the site is zero (0) during hours that are open to the public.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

ENG 7

The twelve (12) visitor bicycle parking spaces approved must be constructed in accordance with the Australian Standards AS/NZS 2890.1:2004 prior to first occupation or commencement of use.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENG 9

Three (3) parking spaces for people with disabilities are approved under this application. All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

In the interests of vehicle user safety and the amenity of the development.

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 2

An approved Demolition and Construction Environmental Management Plan must be implemented.

Prior to the commencement of works, a Demolition and Construction Environmental Management Plan must be submitted and approved. The Demolition and Construction Environmental Management Plan must:

- Detail the proposed demolition and construction methodology (particularly where works may have environmental impacts);
- Identify all potential environmental impacts associated with the works including (as relevant) noise, odours, air pollution (including dust), water pollution, land contamination, erosion, land instability, changes to hydrology, habitat degradation and impacts upon flora and fauna; and
- include measures to adequately avoid or mitigate all identified environmental risks.

Particular attention must be given to minimising the risk of airborne emissions and water pollution (including sediment transfer).

If works are to be staged (e.g. demolition stage and construction stage), the plan may also be staged and address only those works associated with the stage about to commence.

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 minimise the potential for environmental impacts from the demolition and construction works.

ENV s1

Prior to commencement of the use, an assessment of the sewage pumping station must be conducted by a suitably qualified person to determine if the pumping station will meet best-practice environmental management objectives and targets as specified in the *Sewage Pumping Station Environmental Guidelines* (EPA, October 2019).

If the assessment determines that the pumping station will not meet best-practice environmental management objectives and targets, the station must be upgraded to achieve the objectives and targets, based on the advice of a suitably qualified person.

Any required upgrading of the sewage pumping station must be completed prior to commencement of the use.

Reason for condition

To minimise the risk of environmental harm.

ENV s2

The production hall and external yard must be designed and constructed to ensure that leaks, spills, stormwater, process water, washdown water and cleaning effluent cannot directly enter the stormwater system or the River Derwent.

Reason for condition

To minimise the risk of environmental harm.

ENV s3

Litter baskets must be installed on all new stormwater pits, all existing pits being retained, and upstream of the discharge point, prior to commencement of the use.

Reason for condition

To minimise the risk of environmental harm.

HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be undertaken prior to commencement of work.

The photographs and drawings must be submitted and approved as a Condition Endorsement, prior to the commencement of work. The photographs and drawings must include:

1. Each elevation of the building;
2. The interior of the building;
3. Architectural design detailing of the building;
4. Electronic colour images;
5. Photographs of any detail that may be of historical or architectural interest; and
6. Cross referencing of all photographs to "as existing" plan showing the location and orientation of the camera.

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 recognition of the historic cultural heritage significance of the place.

HER 20

A revised landscaping plan must be submitted that retains the scale and form of the tennis court in accordance with the site guidelines of the 1995 Conservation Management Plan (p.67)

Prior to the approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement in accordance with the above requirement.

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

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.

HER s3

Additional documentation must be submitted regarding the proposed relocation of Building 4 and include all conservation, maintenance, preservation, restoration and reconstruction measure in accordance with the 1995 Conservation Management Plan (p.69) and ensure its cultural heritage values are enhanced.

Prior to the approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the relocation and all works in accordance with the above requirement.

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

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.

HER s4

An interpretation strategy must be prepared by a suitably qualified person to interpret the place's historic cultural heritage significance.

The strategy must be submitted and approved by Council within 3 months of first use and must provide recommendations and details of interpretation in publicly accessible locations. The interpretation strategy and interpretation must include information regarding (but not limited to) the site's history, occupants, relevant photographs or illustrations and relate to all submitted and approved heritage and conservation documents.

The interpretation must be installed within 6 months of first use.

Reason for condition

To ensure the proposal is in compliance with the conservation strategy of Conservation Management Plan documents.

OPS s1

The developer is to liaise with the City of Hobart in the design of the new pedestrian path and lighting between the rail line bridge and the pedestrian entrance to the site. A Public Spaces By-law permit will be required for construction of the new path. The permit application to undertake works in a public space can be found [here](#).

Reason for condition

To ensure public safety and maintain public amenity.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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.

HERITAGE

It is recommended that the trees (shown on drawings DA0011, rev 5; DA0052 rev 5) to be removed are retained.

It is recommended that revised plans be prepared to ensure that the rail bridge connectivity via a pathway shown on drawing DA0012 rev 5 takes into account the approved siting of the adjacent new building for Museum (Tram Depot and Display Facility) PLN-20-182 at 20 McVilly Drive.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

**9.2 19 Beach Road, Sandy Bay - Alterations
PLN-21-704 - File Ref: F22/39228**

Ref: Open [CPC 7.2.1](#), 9/05/2022
Application Expiry Date: 16 May 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations, at 19 Beach Road, 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-21-704 - 19 BEACH ROAD SANDY BAY TAS 7005 - 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).

All works under this permit must occur within the boundaries of the site (CT 156268/1001)

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.

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.

COUNCIL RESERVES

A Public Spaces By-law permit will be required for excavation of the existing stormwater pipe/s and installation of the new stormwater sediment pit. Information about these permits, and the application form to undertake works in a public space, can be found [here](#).

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	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	

9.3 3/180-184 Bathurst Street, Hobart - Change of Use to Visitor Accommodation PLN-22-130 - File Ref: F22/40692

Ref: Open [CPC 7.2.3](#), 9/05/2022
Application Expiry Date: 17 May 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a change of use to visitor accommodation, at 3/180-184 Bathurst Street, Hobart 7000 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-22-130 - 3 180-184 BATHURST STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. To limit, manage, and mitigate noise generated as a result of the visitor accommodation.
2. To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation.
3. To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.
4. To specify the maximum permitted occupancy of the visitor accommodation.
5. To provide a name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 5. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

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 visitor accommodation does not cause an unreasonable loss

of residential amenity.

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.

NOISE REGULATIONS

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

FEES AND CHARGES

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

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Briscoe
Thomas
Harvey
Behrakis
Dutta
Sherlock

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Fox

**9.4 20 McVilly Drive, Hobart - Signage
PLN-22-196 - File Ref: F22/41861**

Ref: Open [CPC 11](#), 9/05/2022
Application Expiry Date: 17 May 2022

That pursuant to the *Sullivan's Cove Planning Scheme 1997*, the Council approve the application for signage, at 20 McVilly Drive, Hobart 7000 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-22-196 - 20 MCVILLY DRIVE HOBART TAS 7000 -Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require a road closure permit for construction or special event. Click [here](#) for more information.

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

COUNCIL RESERVES

A Public Spaces By-law permit will be required for installation of the paintings on the Inter City Cycle way within Hobart municipality. Information about these permits, and the application form to undertake works in a public space, can be found [here](#).

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially contaminated soil, water, dust and vapours. Click [here](#) for more information.

BURNET
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 17 was then taken.

10. Regional Strategy - Adapting to a Changing Coastline in Tasmania
File Ref: F22/36341

Ref: Open [CPC 8.1](#), 9/05/2022

- That: 1. The Council endorse the Southern Tasmanian Councils Authority's 'Regional Strategy – Adapting to a changing coastline in Tasmania' marked as Attachments A and B to item 8.1 of the Open City Planning Committee agenda of 9 May 2022 and advise the Southern Tasmanian Councils Association of its resolution; and
2. The Council apply the Strategy's coastal management principles to the development of a series of integrated hazard management plans for Hobart's coastal and riverine catchments

BURNET
FOX

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

11. Significant Tree Nomination - Public Walkway between Beaumont Road and Ruth Drive, Lenah Valley
File Ref: F22/6290

Ref: Open [CPC 8.2](#), 9/05/2022

That the nominated tree at the public walkway between Beaumont Road and Ruth Drive, Lenah Valley not be listed as a significant tree in the Significant Tree Register, and the Significant Tree Code of the *Hobart Interim Planning Scheme 2015*.

BEHRAKIS
SHERLOCK

That the recommendation be adopted.

AMENDMENT

BURNET
DUTTA

That the following clauses be included and the vote be taken separately each clause.

2. That the tree is retained as per Council's street tree policy.

3. Council officers:

a) provide information as to whether there has been significant endemic species loss across this subdivision.

b) undertake appropriate tree planting in the vicinity.

AMENDMENT LOST
(Clause 2)

VOTING RECORD

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

AMENDMENT CARRIED
(Clause 3)

VOTING RECORD

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That: 1. The nominated tree at the public walkway between Beaumont Road and Ruth Drive, Lenah Valley not be listed as a significant tree in the Significant Tree Register, and the Significant Tree Code of the *Hobart Interim Planning Scheme 2015*.

2. Council officers:

- a) provide information as to whether there has been significant endemic species loss across this subdivision.
- b) undertake appropriate tree planting in the vicinity.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

The Lord Mayor vacated the Chair.

The Deputy Lord Mayor Councillor Burnet assumed the Chair.

12. Exploring City Bus Options

File Ref: F22/36510; 13-1-9

Ref: Open [CIC 7.1](#), 4/05/2022

Motion

“That the Hobart City Council notes that,

- Hobart has the lowest use of public transport per capita of all capital cities and improving the share of journeys taken by public transport is one of the key goals of the Hobart City Deal and Hobart’s Transport Strategy.
- Hobart’s heritage street grid creates a physical limit to the number of vehicles that can be easily accommodated within the central precinct area, and congestion creates productivity challenges for the city.
- City of Hobart residents have a shorter journey into the CBD than Greater Hobart residents but face high fares on a per/km basis. A range of subsidised transport choices may be a viable option to help lower the cost of living in this municipality.

And requests that,

- The CEO engage in discussions with stakeholders including the State Government, existing bus operators including Metro and providers of niche bus services (like UTAS and on-demand bus companies) to explore interest in working with the City of Hobart to provide a free city bus service, a free bus fare zone and/or new on-demand bus services of benefit for City of Hobart residents.
- Provide a report back to Council on the outcomes of discussions and options for further consideration.”

Rationale:

“Improving Hobart public transport modal share of from 6.4% of journeys to work now to 10% by of journeys in 8 years is a Key Performance Indicator of the Hobart City Deal.

Free City loop, free public transport fare zones and cheap on-demand bus services are a common feature of all capital cities in Australia and a number of other major cities. For example:-

1. Free City Loop services

A number of capital cities provide free city services which often operate on a loop around the CBD. These services are extremely popular in other cities and services generate a large number of passenger trips beyond existing networks where services travel from suburbs to the CBD.

Adelaide - the free City Connector bus service runs on two loops – an inner city loop and an extended loop around North Adelaide providing a link to popular city attractions and shopping, dining and services destinations. The services run every 30 minutes, seven days a week and from early in the morning until 7.15pm daily, with extra services running on Friday until 9.15pm.

Perth - CAT (Central Area Transit) buses operate in the Perth CBD, Fremantle and Joondalup. These are free services. In Perth there are 5 different routes that operate at least every 15 minutes during day times and at lower 30 minute frequency during night time.

Brisbane – has a free City Loop and Spring Hill Loop bus services to provide high frequency public transport access within the Brisbane Central Business District (CBD). Services also run between the CBD and Spring Hill areas. They run approximately every 10 minutes between 7am and 6pm

Wollongong - free 'Gong Shuttle' runs every 10 to 20 minutes on a loop from Wollongong Station to Wollongong University via Wollongong Hospital and the Innovation Campus.

City of Launceston Tiger Bus service – engaged Metro as a service provider through a tender process, costing \$270,000 per year for four different routes operated at low frequency but does include a commuter service which operates every 15 minutes during peak periods. Patronage is estimated to be 3,000 people per month.

The Hobart CBD would be ideally suited for operation of such a service between North Hobart to Sandy Bay via Salamanca. Such a service would fill a gaps in the Metro operated network.

2. Free travel on buses in the CBD and for targeted passenger groups

2.1 Free Travel in CBD areas

Melbourne - The city's Free Tram Zone extends from Queen Victoria Market to Docklands, Spring Street, Flinders Street Station and Federation Square. Travel on the City Circle Tram is also free.

Perth and Adelaide- Both cities provide travel in extended CBD areas available on all bus tram and train services. These cities also operated free

loop services.

The City of Hobart CBD would be an ideal place to have a free bus zone. The zone could extend approx 1.5 km from the Hobart City Interchange and cover activity shopping zones of North Hobart, Sandy Bay as well South Hobart and West Hobart (to first shops).

2.2 Free seniors travel

Providing seniors travel for free during non-peak periods and is available in all states of Australia. Seniors have a great deal of discretion in when they travel and free travel for City of Hobart residents on existing Metro services would be an incentive for some residents to make a journey to the CBD by bus.

Fares are high per km in the City of Hobart with an average adult fare in the vicinity of \$1.20 per km while fares to Kingborough are \$0.35 per km which is three times cheaper. Free travel at non-peak times by Hobart Seniors would attract strong patronage as this needy passenger group would respond very quickly to free transport. This group has a lot of discretion as to when and how they can travel.

Free Seniors travel in Hobart will not only align Hobart with other capital cities in Australia but generate significant patronage on Metro services well below capacity. With Seniors getting out of cars and using buses there will be not only reductions in CBD traffic but less pressure on car parking

3. On demand mini bus services

On Demand services or Demand Responsive Transport (DRT) is a flexible public transport service designed to improve connections to transport hubs and popular destinations like shopping centres or hospitals. Such bus services fill the gap between fixed route bus services and taxi/uber services and are often operated by smaller buses.

There are many On Demand services operating around NSW and in SA as part of a trials of this type of affordable and flexible transport service. On demand services pick you up from home or an easy to access location, and take you where you need to go.

There are a number of private operators (eg. <https://bridj.com/>) running these services in partnership with government. There have been around 50 on-demand trials across Australia since October 2017, providing over 1 million rides to residents.

Metro operates off peak services especially after 7pm and during weekends which are rare and therefore unattractive to passengers. Most services operate on problematically designed bus routes which are further discouraged by high

fares. Modified DRT style services could be operated to such areas including:

- Lenah Valley/Mt Stuart/West Hobart,
- Fern Tree/ South Hobart
- Mt Nelson/Dynnyrne.”

Administration Response to Notice of Motion

Discussion

The Central Hobart Precinct Structural Plan (CHPSP) will include mobility analysis that will help support investigation in this space.

Further work will be required on transport and mobility options for the CBD stemming from the CHPSP.

Officers agree that engagement with the aforementioned parties would be beneficial and recommend to proceed with this NOM.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 5 – Movement and connectivity

Outcome: An accessible and connected city environment helps maintain Hobart’s pace of life

Strategy: Hobart has effective and environmentally sustainable transport systems.

- 5.1.1 Improve connectivity throughout Hobart’s inner city and suburbs.
- 5.1.2 Consider social, environmental and economic elements in transport and technology decision-making.
- 5.1.3 Investigate transport and technology possibilities that reinforce values of efficiency, sustainability, connection and helping people to meet the needs of daily life.
- 5.1.4 Ensure equal access is factored into transport and technology decision-making.
- 5.1.5 Increase the climate resilience of transport and connectivity networks.
- 5.1.6 Work with stakeholders to prioritise low-emission, energy efficient, renewable transport and technology initiatives, including trialling emerging solutions.
- 5.1.7 Collaborate with stakeholders and business on the efficient, sustainable and innovative movement of

- people, information and goods.
- 5.2.1 With the Tasmanian Government, review transport networks to ensure their integrated operation.
- 5.2.2 Embrace opportunities to use innovative technologies to support and manage transport networks and improve travel experiences.
- 5.2.3 Develop, upgrade and maintain the City's network of roads, bridges, cycleways, footpaths and walkways.
- 5.2.4 Identify and implement infrastructure improvements to enhance access and road safety and reduce air and noise pollution.
- 5.2.5 Prioritise opportunities for safe and integrated active transport.
- 5.2.6 Increase the recognition of Hobart as a 'walking city', encouraging walking as a fundamental mode of transport.
- 5.2.7 Support and encourage more people to ride bicycles through the development of safe paths and streets, separated cycleways, end of journey facilities and related infrastructure.
- 5.2.8 Advocate for and promote the increased use of public transport.
- 5.2.10 Support the activation of the Northern Rail Corridor to the Hobart city centre.

Legislation and Policy

Legislation: N/A

Policy:

Financial Implications

1. None are foreseen apart from officer time.

REYNOLDS
BEHRAKIS

That the recommendation be adopted with the inclusion of regular meetings being convened with Metro Tasmania.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Hobart City Council notes that,

1. Hobart has the lowest use of public transport per capita of all capital cities and improving the share of journeys taken by public transport is one of the key goals of the Hobart City Deal and Hobart's Transport Strategy.
2. Hobart's heritage street grid creates a physical limit to the number of vehicles that can be easily accommodated within the central precinct area, and congestion creates productivity challenges for the city.
3. City of Hobart residents have a shorter journey into the CBD than Greater Hobart residents but face high fares on a per/km basis. A range of subsidised transport choices may be a viable option to help lower the cost of living in this municipality.

And requests that,

1. The CEO engage in discussions with stakeholders including the State Government, existing bus operators including Metro and providers of niche bus services (like UTAS and on-demand bus companies) to explore interest in working with the City of Hobart to provide a free city bus service, a free bus fare zone and/or new on-demand bus services of benefit for City of Hobart residents.
2. Regular meetings with Metro Tasmania be convened.
3. Provide a report back to Council on the outcomes of discussions and options for further consideration

Lord Mayor Councillor Reynolds resumed the Chair.

CITY INFRASTRUCTURE COMMITTEE

**13. Response to Petition - Installation of a Footpath on Queens Walk
File Ref: F22/34305; R0774**

Ref: Open [CIC 6.1](#), 4/05/2022

- That:
1. The City liaise with the owners / operators of the apartment complex at 1 Queens Walk, regarding the development of a public footpath connection either through the 1 Queens Walk site itself, or on the Queens Walk road reserve past the 1 Queens Walk site.
 2. Design work for the provision of a pedestrian path along the Queens Walk road reserve between Risdon Road in Lutana, and the 1 Queens Walk site, be progressed.
 3. The funding of \$25,000 for the design of the pedestrian path be listed for consideration in the 2022/23 capital works program.
 4. The construction of a pedestrian path along the Queens Walk road reserve between Risdon Road in Lutana and the 1 Queens Walk site be listed for consideration in the 2023/24 capital works program for \$250,000, with the project to be partially funded by the City's Capital Works program with the balance to be sought under the Vulnerable Road User or similar grant programs that may be available.
 5. The petitioners be so advised.

HARVEY
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

14. Southern Tasmanian Regional Waste Authority

File Ref: F22/39198; 2016-0192

Ref: Open [CIC 12](#), 4/05/2022

- That:
1. The Council notes that no submissions were received during the public consultation process undertaken as a component of the establishment of the Southern Tasmanian Regional Waste Authority.
 2. The proposed rules of the Southern Tasmanian Regional Waste Authority, as notified in accordance with Section 31 of the Local Government Act 1993, be approved.
 3. The City's Chief Executive Officer be authorised to undertake all necessary actions to enable the establishment of the new Joint Authority in accordance with the Local Government Act 1993, including providing certification to the Director of Local Government that the rules have been made in accordance with the Act.

HARVEY
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

FINANCE AND GOVERNANCE COMMITTEE

15. Response to Petition - Reduction to On-Street Parking Fees
File Ref: F22/34444

Ref: Open [FGC 4.1](#), 16/05/2022

- That:
1. The petition titled Reduction to On-street Parking Fees, be received and noted.
 2. The request for permanent price decreases, proposed in the petition titled Reduction to On-Street Parking Fees, be rejected.
 3. The request for further and more detailed analysis of the impact of parking costs on businesses and visitor numbers, proposed in the petition titled Reduction to On-Street Parking Fees, be undertaken and the results be published.
 4. The City continues to plan for time limited parking campaigns and related promotional activity targeted to support retailers in specific areas and the effect of these campaigns be used as data for more detailed analysis of parking in the City.
 5. The detailed analysis also considers provision of affordable parking for those members of the community with mobility issues who visit the CBD.
 6. An urgent report be forthcoming on a “shop and save” parking discount system comparable to Victoria Gardens or similar programs for both on and off street metered parking where paid parking is provided. The report consider a phasing in program including best times of day week for use of a “shop and save” discount parking system including which businesses partake in such a program and in particular financial implications.
 7. The petitioners be notified of the Council resolution.

ZUCCO
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

16. Future of Local Government Review - Phase 1 Submission
File Ref: F22/45033

Ref: Open [FGC 4.2](#), 16/05/2022

BURNET
BEHRAKIS

That the item be withdrawn.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

The item was withdrawn.

Item 18 was then taken.

SPECIAL REPORT – CHIEF EXECUTIVE OFFICER

Councillor Sherlock declared an interest in item 17 and left the meeting.

17. Public Meeting in Response to Save UTas Petition
File Ref: F22/43768

BURNET
HARVEY

That the recommendation contained in the Special Report of the Chief Executive Officer, marked as item 17 of the Open Council Agenda of 16 May 2022, be adopted.

AMENDMENT

DUTTA

That the Council strongly urges UTas to respond to its letter of 23 March 2022, and furthermore calls upon UTas to address the concerns and issues discussed at the public meeting, as a matter of urgency.

The amendment lapsed for want of a seconder.

AMENDMENT

ZUCCO
BRISCOE

That the officer recommendation be replaced with the following:

That:

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

BEHRAKIS
THOMAS

That Alderman Briscoe 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
Thomas
Harvey
Behrakis
Dutta
Fox

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

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

Item 10 was then taken.

18. 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 taken by, or involving the Council

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-21-782 1/4 Sunvale Avenue, Sandy Bay - Partial Change
 of Use to Visitor Accommodation
 LG(MP)R 15(4)(a)

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

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

There being no further business the Open portion of the meeting closed at 7.31pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
30TH DAY OF MAY 2022.

CHAIRMAN