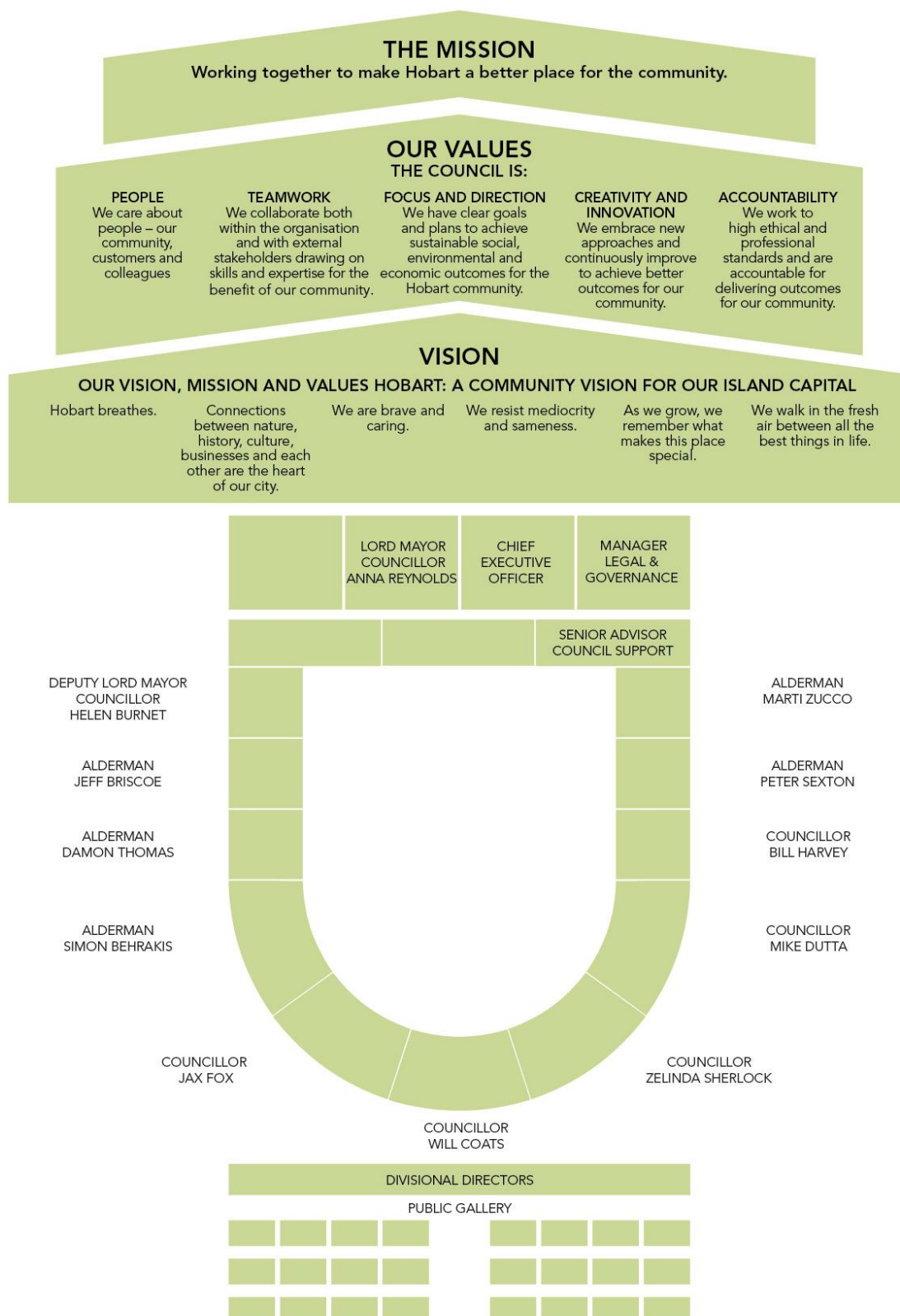




CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
TUESDAY, 14 JUNE 2022
AT 5:00 PM





ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. CONFIRMATION OF MINUTES.....	5
2. TRANSFER OF AGENDA ITEMS.....	5
3. COMMUNICATION FROM THE CHAIRMAN.....	5
4. NOTIFICATION OF COUNCIL WORKSHOPS.....	6
5. PUBLIC QUESTION TIME.....	6
6. PETITIONS.....	12
7. CONSIDERATION OF SUPPLEMENTARY ITEMS	12
8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	12
REPORTS OF COMMITTEES	13

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY.....	13
9.1 209-213 Harrington Street, 215-217 Harrington Street, Hobart - Demolition, New Building for Food Services, Signage, Subdivision (Lot Consolidation), and Associated Works	13
9.2 136 Wentworth Street and 112 Cascade Road and 106 Cascade Road, South Hobart - Temporary Housing	14
9.3 1 Bell Street, New Town - Upgrading of Existing Telecommunications Facility and Associated Works.....	15
9.4 ETA-21-158 - 209-213 Harrington Street, Hobart - Demolition and New Building for 39 Multiple Dwellings, Food Services and General Retail and Hire	22
9.5 156 New Town Road, New Town - Demolition, Subdivision (Lot Consolidation) and New Building for 19 Multiple Dwellings and Fitness Centre (Sports and Recreation)	22
10. Amendment PSA-21-4 - Enterprise Road Rezoning - Report on Representations.....	23
11. Amendment to Planning Legislation (Major Projects)	23
MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	
12. Chairperson Protocols	24

CITY INFRASTRUCTURE COMMITTEE

13. E-Scooter Trial Consultation Report..... 26

FINANCE AND GOVERNANCE COMMITTEE

14. 2022 - 2023 Fees and Charges..... 27

15. CLOSED PORTION OF THE MEETING..... 28

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON TUESDAY, 14 JUNE 2022 AT 5:00 PM.

Kelly Grigsby
Chief Executive Officer

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

This meeting of the Council is held 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.

ELECTED MEMBERS:

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

APOLOGIES:

LEAVE OF ABSENCE: Nil

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

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*?

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

Date: 7 June 2022
Purpose: 2022/23 Budget

5. PUBLIC QUESTION TIME

Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 16/119-001

5.1 Public Questions

5.2 Responses to Public Questions Taken On Notice

“In accordance with the procedures approved in respect to Public Questions Time, the following responses to questions taken on notice are provided to the Council for information.

The Council is reminded that in accordance with Regulation 31(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.”

RECOMMENDATION

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

5.2.1 UTAS Proposed Move into the City

5.2.2 UTAS Transition to the CBD and Accessibility

5.2.3 State of Trial Parklets in Elizabeth Street

Meeting date: 14 April 2022
Raised by: Ms Louise Elliot
Response Author: Kelly Grigsby (CEO)
Topic: **UTAS PROPOSED MOVE INTO THE CITY**

Question 1:

What evidence is the Council relying on to form the view that UTAS' relocation to the City is in the interests of our city and community, and where can the public access this evidence?

Response:

The report coming to Council on 30 May 2022 which will respond to the Notice of Motion submitted by Alderman Briscoe on 15 March 2022, will provide you with the council reports, decisions and actions relating to the UTAS relocation to the city since 2009.

Question 2:

Does the Council think it is appropriate to state that it will "support and facilitate" UTAS' move given this very strongly implies that applications that come before the Council must be supported given the Council has already predetermined that it will "support and facilitate" UTAS' move and voting against applications is not in keeping with this direction?

Response:

The Council has two functions with one being the need to consider and provide strategic direction for the City and develop plans for it. The Central Hobart Precincts Plan is part of that function. The statement in the directions paper is a potential future direction that has been consulted with the community, noting that the discussion paper states that the paper has been 'endorsed by Council for engagement purposes only.'

The Council also has a function as a planning authority in which it must consider individual development applications and make decisions based on legislation, the provisions of the planning scheme and the evidence it has before it. Ultimately, any application when finalised and the qualified advice from Council officers on the merits or otherwise of an application, is provided on the public record. Furthermore the determination of the application by elected members is conducted in open Council. There is also opportunity for members of the public to provide a representation on the merits or otherwise of the proposal when amendments are publicly notified. All this information is taken into account when making a decision on individual applications.

Question 3:

What commitments has the Council made to UTAS about their relocation, including those made in the meetings that the Lord Mayor has had with the Vice Chancellor over recent years?

Response:

The report coming to Council on 30 May 2022 which will respond to the Notice of Motion submitted by Alderman Briscoe on 15 March 2022, will provide you with the council reports, decisions and actions relating to the UTAS relocation to the city since 2009, including correspondence between Lord Mayors and Vice Chancellors.

Question 4:

How does the Council respond to the strong and warranted perception that the Hobart City Council is applying favouritism and not treating UTAS like any individual or organisation?

Response:

“Favouritism” has not been provided for the relocation of UTAS to the CBD, as each Development Application submitted by UTAS, or any other individual or organisation is considered on its planning merit.

The Council in its role as a planning authority considers individual development applications and makes decisions based on legislation, the provisions of the planning scheme and the evidence it has before it. Ultimately, any application when finalised and the qualified advice from Council officers on the merits or otherwise of an application, is provided on the public record.

Furthermore the determination of the application by elected members is conducted in open Council. There is also opportunity for members of the public to provide a representation on the merits or otherwise of the proposal when amendments are publicly notified. All this information is taken into account when making a decision on individual applications.

Question 5:

Does the Council agree that UTAS is just like any other individual or organisation with no special rights, privileges or influence when it comes to the future direction of our city?

Response:

The City of Hobart engages with many stakeholders including UTAS, State Government, Macquarie Point Corporation and other interested parties about their development and investment in our city. All are considered relative to the contribution they may make on shared public value and amenity. However, as mentioned above, all must undergo the relevant development planning process and ultimately the planning authority must consider individual development applications and make decisions based on legislation.

Question 6:

What actions must another individual or organisation take to achieve the same level of support from the Hobart City Council? For example, if a large tourism, hospitality or retail operator wanted public statements made by the Council that it will “support and facilitate” their intentions, what does that individual or organisation need to do?

Response:

As mentioned, the statement in the directions paper is a potential future direction that has undergone consultation with the community. The discussion paper states that the paper has been ‘endorsed by Council for engagement purposes only’.

As stated, the City’s engagement with a wide variety of stakeholders is a continuing and core function of facilitating the future design and build of our City. All proponents or potential proponents for development are encouraged to make contact to discuss their intentions.

The Central Hobart Precincts Structural Plan will enable further conversation to take place with those who express interest in investing in our city through development, activation or simply residence over the next 20 years as it’s a long term plan for the 64 blocks that make up Central Hobart.

Further plans such as the North Hobart Precinct Plan will also be reviewed this year as well as others over the coming years. They will also provide opportunities for any interest parties to express their interest in being part of bringing those future plans to life.

Meeting date: 15 March 2022

Raised by: Ms Tammy Milne

Response Author: Kelly Grigsby (CEO)

Topic: **UTAS TRANSITION TO THE CBD AND ACCESSIBILITY**

Question:

My question is that as an alumni of the University of Tasmania and a person with a disability my struggles with basic access to the old out of date buildings was horrendous and I would not want anyone to have to go through the same physical difficulties I went through to access education at the highest level in Tasmania.

The move of UTAS into the city will enable buildings to be purpose built according to today's accessible building codes giving people with disabilities equitable access to higher education. There are other benefits as well to this move, both financial and physical that will reintroduce university to the city as it was in the past. Look how well integrated existing campus life is in the city now with medicine, the arts and music already occupying space in the city.

It seems an emotional attachment to the old buildings is an irrational argument as to why the move should be curtailed, but is this argument really thinly veiling the real reason and that is of Sandy Bay residents concerned about their property values if a bunch of social housing is introduced to their suburb.

The benefits from where I sit in my wheelchair far outweigh the negatives, put simplistically there will be a stock of land available to build housing which is so greatly needed in the Hobart once UTAS vacates the Sandy Bay Campus. There will be greater access for students like myself, people with disabilities.

So my question was will Hobart City Council facilitate a smooth transition for UTAS to come to the city?

Response:

People with a disability have the right to expect they will be able to access and use a public building in a dignified manner. The Premises Standards [*Disability (Access to Premises Building) Standards 2010*] sets performance requirements and references technical specifications to ensure this occurs. These requirements are applicable to all public buildings and will lead to widespread improvements in the accessibility and safety of all new and upgraded buildings. It is noted that The Premises Standards only apply where new work is undertaken that requires a building approval, such as a new building, an extension or renovation.

The City through the Hobart Access Advisory Committee (AAC) advocates for accessibility to all buildings and it is noted that the University of Tasmania (UTAS) has attended a committee meeting to discuss access to their proposed Hobart City Campus. The AAC will continue to engage with UTAS to advocate for the rights of people with a disability to have equitable access to all UTAS buildings.

Meeting date: 15 March 2022
Raised by: Ms Louise Bloomfield
Response Author: Kelly Grigsby (CEO)
Topic: **STATE OF TRIAL PARKLETS IN ELIZABETH STREET**

Question:

The parklets installed in Elizabeth Street are a disgrace. Nearly 50% of the plant life is now dead and it looks dreadful.

I have pictures evidencing at 12:20pm both Thursday 10 March and Friday 11 March 2022, there is no-one using these areas.

When are they going to be admitted as an utter failure for the area and be removed? The small businesses in the area are in desperate need of these parking spaces back.

Response:

The outdoor dining decks (parklets) have been well utilised around the city during the day and in the evening with the spaces regularly maintained by the City and traders including the plants within the planter boxes.

There have been significant design and community engagement learnings as part of the trial and we have fed these learnings into both our outdoor dining guidelines and a general review and positioning of parklets; both of these are currently in final review internally and will be shared through Council in the coming months.

We have two more actions before finalising our report and forging next steps. Those actions are a final survey to businesses and a second measurement of the Place Score assessment for the area.

We expect to finalise the report specifically on the midtown parklets trial and provide the report to the Council for inclusion in a meeting in June.

6. PETITIONS

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*.

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 conflict 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.

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.

9.1 209-213 Harrington Street, 215-217 Harrington Street, Hobart - Demolition, New Building for Food Services, Signage, Subdivision (Lot Consolidation), and Associated Works PLN-20-651 - File Ref: F22/52410

Ref: Open [CPC 7.1.1](#), 6/06/2022
Application Expiry Date: 14 June 2022

That the Council refuse the application for demolition, new building for food services, signage, subdivision (lot consolidation), and associated works at 209–213 Harrington Street and 215–217 Harrington Street, Hobart 7000 for the following reasons:

1. The proposed use of a restaurant, which is discretionary, is inappropriate for this location and is inconsistent with the zone purpose statements.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E5.5.1 Existing road accesses and junctions, because the increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, is not safe and unreasonably impacts on the efficiency of the road, having regard to paragraphs (a) to (g).
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 Number of parking spaces, because the acceptable solution requires 39 spaces and only 20 are proposed; and The number of onsite car parking spaces must be sufficient to meet the reasonable needs of users, having regard to the specific matters listed in P1 (a) to (e).

**9.2 136 Wentworth Street and 112 Cascade Road and 106 Cascade Road,
South Hobart - Temporary Housing
PLN-22-133 - File Ref: F22/52386**

Ref: Open [CPC 7.1.3](#), 6/06/2022
Application Expiry Date: 22 June 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for temporary housing at 136 Wentworth Street and 112 Cascade Road and 106 Cascade Road, South Hobart 7004 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 6 June 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-22-133 - 136 WENTWORTH STREET & 112 CASCADE ROAD & 16 CASCADE ROAD, SOUTH HOBART TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit is valid for a maximum period for three years from 25 June 2020, on which date the occupancy permit was issued in accordance with Part 17 of the *Building Act 2016*. At the completion of this period and not more than 6 month after the date on which the permit lapses, all development associated with this permit must be removed and the site made good to the satisfaction of the Director City Life.

Reason for condition

To clarify the scope of the permit in accordance with the application documentation and Planning Directive 7.

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.

COUNCIL RESERVES

There is an existing lease agreement for occupation of a portion of Wellesley Park for this development. The lease expires on 31st December 2022.

Therefore, it will need to be extended to cover the extended planning permit period. The terms will be negotiated separately to this planning permit.

NOISE REGULATIONS

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

9.3 1 Bell Street, New Town - Upgrading of Existing Telecommunications Facility and Associated Works PLN-21-823 - File Ref: F22/52191

Ref: Open [CPC 7.1.5](#), 6/06/2022

Application Expiry Date: 18 July 2002

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for upgrading of existing telecommunications facility and associated works at 1 Bell Street New Town 7008 for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 6 June 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-21-823 - 1 BELL STREET NEW TOWN TAS 7008 - 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 2022/00045-HCC dated 2/5/2022 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 sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The pre-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw3

The proposed works must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved as a Condition Endorsement prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. Demonstrate how the design will ensure the protection and provide access to the Council's stormwater main.

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

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 protection of the Council's hydraulic infrastructure.

SW 13

All structures within the flood zone including buildings and flood mitigation measures must be inspected by a suitably qualified and accredited engineer.

Certification from a suitably qualified and accredited engineer that the installation has been constructed in accordance with the approved design must be provided to the City of Hobart prior to occupancy or commencement of use (whichever occurs first).

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.

ENVHE 2

A contamination Environmental Site Assessment report prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) as amended 2013 must be submitted prior to commencement of work. The report must conclude:

- Whether any site contamination presents a risk to workers involved in redevelopment of the site, or future users of the site, as a result of proposed excavation of the site.
- Whether any site contamination presents an environmental risk from excavation conducted during redevelopment of the site.
- Whether any specific remediation and/or protection measures are required to ensure proposed excavation does not adversely impact human health or the environment before excavation commences.
- Based on the results of the Environmental Site Assessment that the excavation as part of the planned works will not adversely impact on human health or the environment (subject to implementation of any identified remediation and/or protection measures as required).

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted prior to commencement of work. Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil or stormwater.

Advice:

The Environmental Site Assessment Report prepared by Greencap, dated February 2022 (J176373) and submitted by the applicant on 23 March 2022, meets this condition, and no further report is required to be submitted.

Reason for condition

To determine the level of site contamination, and to identify any recommended remediation/management practices/safeguards which need to be followed/put in place during any excavations/ground disturbance on, or for use of the site, to provide for a safe living environment.

OPS s1

The developer must have a build schedule in place to ensure that the removal of the flood light panels do not disrupt any hockey games. Prior to the removal of the flood lights the developer must prepare a build schedule in consultation with Hockey Tasmania and Council. The removal of the flood lights must be undertaken in accordance with the build schedule.

Advice:

Please contact the Council's Parks and Recreation Program Leader on 6238 2956 in relation to this condition.

Reason for condition

To maintain the functionality of the adjacent sports fields.

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.

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Life Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

STREET LIGHTING

The relocation of a light pole must be in accordance with TasNetworks and Hobart City Council requirements. Click [here for](#) more information.

WASTE DISPOSAL

It is recommended that the developer liaise with the Council's City Resilience 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](#).

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.

9.4 ETA-21-158 - 209-213 Harrington Street, Hobart - Demolition and New Building for 39 Multiple Dwellings, Food Services and General Retail and Hire
File Ref: F22/49954

Ref: Open [CPC 7.1.6](#), 6/06/2022

- That:
1. The Council approve the application for an extension of time in which to substantially commence planning permit PLN-18-770.
 2. The Council delegates the power to grant a further extension of time to substantially commence planning permit PLN-18-770 pursuant to section 53 of the *Land Use Planning and Approvals Act 1993* to the Director City Life.

9.5 156 New Town Road, New Town - Demolition, Subdivision (Lot Consolidation) and New Building for 19 Multiple Dwellings and Fitness Centre (Sports and Recreation)
PLN-22-272 - File Ref: F22/55617

Ref: Special Open [CPC 3.1.1](#), 14/06/2022
Application Expiry Date: 16 June 2022

A recommendation will be submitted to the meeting.

10. Amendment PSA-21-4 - Enterprise Road Rezoning - Report on Representations
File Ref: F22/42681

Ref: Open [CPC 8.1](#), 6/06/2022

- That:
1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report marked as item 8.1 of the Open City Planning Committee agenda of 6 June 2022 as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft PSA-21-4 amendment.
 2. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-21-4 amendment to the *Hobart Interim Planning Scheme 2015* be approved as certified.

11. Amendment to Planning Legislation (Major Projects)
File Ref: F22/44598

Ref: Open [CPC 8.2](#), 6/06/2022

That the Council endorse the response to the proposed amendments to the *Land Use Planning and Approvals Act 1993* for major projects, dated 12 May 2022, and shown as Attachment A to item 8.2 of the Open City Planning Committee agenda of 6 June 2022.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

12. Chairperson Protocols
File Ref: F22/53914; 13-1-9

Alderman Zucco

Motion

“That an urgent report be prepared setting out the protocols for the chairperson around elected members using direct and explicit or inappropriate language at any formal Council or committee meetings.”

Rationale:

“At the Council meeting on May 30th the Lord Mayor as chairperson was definite in the chair role during discussion on item 4 being transfer of agenda items. The chair made it clear to an elected member the protocols of the meeting procedures and was emphasising the role of the Lord Mayor as chairperson of the Council meeting and that the chair was in control.

At a later point in debate on a planning item regarding a development application on short stay accommodation an elected member made a direct inappropriate quote which in my opinion seemed premeditated in the manner it was conveyed.

It is completely obvious that the Lord Mayor as chair was surprised by the comments (as were other elected members and the CEO) based on body language but it was extremely obvious with the Lord Mayors stuttering and unsure as per what action to take. The action was obvious but not forthcoming by the chair.

Considering that this inappropriate comment occurred at around the 27 minute period of the meeting and the Lord Mayor had made it very clear to “other” elected members of the chairperson’s role and meeting procedures moments prior. It is imperative that there is an understanding of protocols around inappropriate language considering that the chair failed to act on the language used by one elected member.

When the incident occurred I did immediately text a fellow elected member regarding the language. I was expecting the chair to act but no action was taken when it was clearly obvious what had occurred.

Given this latest incident it is imperative that a report be prepared setting out the protocols around any such future incidents similar to that of May 30th.”

Administration Response to Notice of Motion

Discussion

1. There is nothing in either the *Local Government (Meeting Procedures) Regulations 2015* nor Council's Policy titled Meetings: Procedures and Guidelines which expressly addresses the use of explicit language in a Council meeting.
2. It is recognised in both the legislation and policy that there is a degree of formality to a Council meeting along with obligations on elected members to behave in accordance with the provisions of the Code of Conduct.
3. It is possible for a point of order to be raised at a meeting if a statement made by an elected member speaking that the elected member raising the point of order believes is or is likely to be offensive to an elected member or to another individual.
4. Given the lack of express guidance in either legislation or policy it is considered appropriate that advice be sought from the Director Local Government in the preparation of a report in response to the notice of motion.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	8 – Governance and Civic Involvement
Outcome:	8.1 Hobart is a city of best practice, ethical governance and transparent decision-making.
Strategy:	8.1.1 Practise integrity, accountability, strong ethic and transparent in the City's governance, policymaking and operations. 8.1.2 Practise and communicate good city governance and decision-making.
Pillar:	8 – Governance and Civic Involvement
Outcome:	8.3 City leadership is accessible and reflects Hobart communities.
Strategy:	8.3.3 Support the elected representatives to undertake their role.

Legislation and Policy

Legislation:	<i>Local Government (Meeting Procedures) Regulations 2015</i>
Policy:	Meetings: Procedures and Guidelines

Financial Implications

1. None arise from this notice of motion.

CITY INFRASTRUCTURE COMMITTEE

13. E-Scooter Trial Consultation Report

File Ref: F22/46178

Ref: Open [CIC 6.1](#), 1/06/2022

- That:
1. Council officers continue to investigate the viability of creating more mixed-use micromobility lanes in inner city corridors.
 2. Council officers work with e-scooter operators Beam and Neuron, as well as other relevant organisations in the City, to create opportunities for training and safety awareness for senior Tasmanians.
 3. Council officers attend the series of round table discussion forums convened by Department of State Growth regarding E-scooters, and that any outcomes arising from the round table, relevant to the Council's E-scooter trial, be included in the E-scooter Trial Assessment Report, to be prepared upon completion of the trial.
 4. The City's Access Advisory Committee be requested to consider (and action as appropriate) the inequity of legislation covering mobility scooters and e-scooters.

FINANCE AND GOVERNANCE COMMITTEE

14. 2022 - 2023 Fees and Charges

File Ref: F22/38032

Ref: Special Open [FGC 4.1](#), 14/06/2022

A recommendation will be submitted to the meeting.

15. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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

- Confirm the minutes of the closed portion of the meeting
- Leave of Absence

The following items are listed for discussion:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2	Communication from the 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