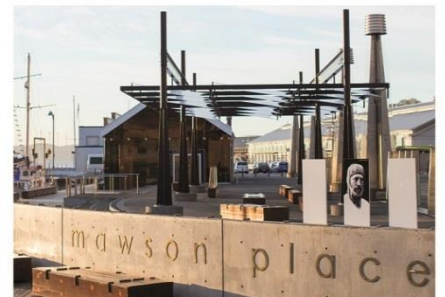




CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 27 JUNE 2022
AT 5:00 PM
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 31 March 2022 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



ORDER OF BUSINESS

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PRESENT:

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

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Councillor Coats joined the meeting at 5.02pm and was not present for items 1 and 2.

Councillor Fox joined the meeting at 5.06pm and was not present for items 1 to 4 inclusive.

Alderman Zucco left the meeting at 5.57pm, returning at 5.58pm.

Alderman Behrakis left the meeting at 6.04pm, returning at 6.06pm.

Councillor Dutta left the meeting at 6.05pm. returning at 6.09pm and was not present for item 12.

Councillor Fox left the meeting at 6.10pm and was not present for items 15 to 21 inclusive.

Councillor Sherlock left the meeting at 6.50pm after declaring an interest in item 19, returning at 7.41pm.

Alderman Zucco left the meeting at 7.46pm, and was not present for items 20 and 21.

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 [Tuesday, 14 June 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

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

NOES

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Intergovernmental Relations Meetings

The Lord Mayor reported on the meetings she and the Chief Executive Officer attended with Ministers and senior officials of the incoming Commonwealth Government on the priorities for both Greater Hobart and the City of Hobart, as well as with key contacts in the ACT Government, whilst in Canberra the previous week.

The Lord Mayor and CEO met with:

- **The Hon Kristy McBain MP, Minister for Regional Development, Local Government and Territories** – to discuss Hobart's election priorities; and the incoming Government's proposed approach to both City Deals. Minister McBain was also interested to discuss housing affordability and availability and issues around building resilience to climate change. Minister McBain was very active at the ALGA Congress and she noted that both of these issues were of very broad concern to Local Governments across the country.

- **The Hon Catherine King MP, Minister for Minister for Infrastructure, Transport, Regional Development and Local Government** – to discuss Hobart’s election priorities; the incoming Government’s proposed approach to both City Deals and its interaction with local governments; and proposed approaches to the City and the Commonwealth working together on the Government’s election commitment of \$20 million to deliver on-water ferry infrastructure.
- **The Hon Chris Steel MLA, ACT Minister for Transport and City Services** – to discuss the ACT’s approach to constructing and operating public transport on major transit corridors through the effective use of public/private partnerships.
- **Ray Griggs, Secretary of the Department of Social Services** – to discuss the incoming Government’s priorities for housing.
- **Lyn O’Connell, Deputy Secretary of the Department of Agriculture, Water, Environment and Climate Change** – to discuss the importance of the proposed Antarctic and Science Precinct and Hobart port repairs.
- **Hannah Wandle, from the National Resilience and Recovery Agency** – to discuss processes and programs regarding emergency management, recovery and resilience; and future funding opportunities through the incoming government’s \$200 million disaster readiness fund.

The Lord Mayor extended an invitation to discuss any of these meetings or issues in more detail with any Elected Member or member of the public who is interested in further information.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

5. PUBLIC QUESTION TIME

5.1 Public Questions

5.1.1 Mr Edwin Johnstone - City Loop Services

Mr Edwin Johnstone put the following questions and was provided with a response by the Lord Mayor.

Questions

1. Will the Salamanca Shuttle city loop bus service be reinstated to the market and if so, when?
2. As the council is currently considering the merits of a city loop bus service, can the council at least extend this service to weekdays to form part of a trial?

Response

The issues raised by both questions are actively being considered by Council, however they are not yet resolved. It's therefore not possible to provide a commitment to deliver either of these, although these options will be considered.

It is also worth noting that a Notice of Motion submitted by the Lord Mayor which was adopted by the Council in May requires consideration of these same issues and will be dealt with as part of that report.

It is anticipated the outcome will be available by the end of the Calendar year following engagement with other stakeholders.

5.1.2 Mr Ryan Posselt - Developer Contributions

Mr Ryan Posselt put the following question and was provided with a response from the Chief Executive Officer.

Question:

The Council released a discussion paper as part of a precincts plan in October 2021 regarding developer co-contribution to infrastructure. 9 months on can you tell me why hasn't the Council acted and is there any movement on the four actions that were identified in the discussion paper, particularly in light of UTas moving into the City?

Response:

That piece of work was done as part of the Central Hobart Precincts Plan and officers are currently in the process of finalising the first draft of the structure plan which will be provided in draft form to the Council before the end of July, prior to going out to wider community consultation on the plan.

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 19

REPORTS OF COMMITTEES

FINANCE AND GOVERNANCE COMMITTEE

The Lord Mayor delivered an address in respect of the City's 2022-23 Budget Estimates.

9. Budget Estimates 2022-23

File Ref: F22/50232

Ref: Open [FGC 6.1](#), 21/06/2022

- That:
1. The expenses, revenues, capital expenditure, and plant and equipment expenditure detailed in the document 'City of Hobart Budget Estimates 2022-23 Financial Year', marked as Attachment A to item 6.1 of the Open Finance and Governance Committee agenda of 21 June 2022, be approved.
 2. New borrowings of \$1.5 million to be further considered if required for the Doone Kennedy Hobart Aquatic Centre upgrade.
 3. The Council delegate to the Chief Executive Officer the power to enter into loan agreements to source the above borrowings if required on the most favourable terms.
 4. The City of Hobart Rates Resolution 2022-23, marked as Attachment C to item 6.1 of the Open Finance and Governance Committee agenda of 21 June 2022, be adopted as follows:
 - (i) Pursuant to s.90 of the *Local Government Act 1993*, a General Rate of 10.50471 cents in the dollar of Assessed Annual Value (AAV) be made.
 - (ii) Pursuant to s.88A of the *Local Government Act 1993* the Council by absolute majority sets a maximum percentage increase cap on the general rate (as previously made) at 2.6% where that increase has occurred as a result of municipal revaluation undertaken in accordance with s.20 of the *Valuation of Land Act 2001*.
 - (iii) Pursuant to s.88A(1)(b) and s.107 of the *Local Government Act 1993* the Council by absolute majority declares that the maximum percentage increase cap on the general rate referred to at 4(i) above is varied to 1.6% for all land which is used or predominately used for commercial purposes.
 - (iv) Pursuant to s.88A(2)(b) of the *Local Government Act 1993* the Council by absolute majority fixes the condition that to qualify for the maximum percentage increase cap (as previously made and varied above) the rateable land must not be subject to a supplementary valuation used by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

- (v) Pursuant to s.93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended) the Council makes the following rates for land within the municipal area:
 - a) A permanent brigade district fire rate of 1.04486 cents in the dollar of AAV subject to a minimum amount of \$44 in respect of all rateable land within the permanent brigade rating district.
 - b) A Fern Tree volunteer brigade district fire rate of 0.28 cents in the dollar of AAV subject to a minimum amount of \$44 in respect of all rateable land within the Fern Tree volunteer brigade rating district.
 - c) A general land fire rate of 0.25 cents in the dollar of AAV subject to a minimum amount of \$44 in respect of all rateable land within the municipal area which is not within the permanent brigade rating district or the Fern Tree volunteer brigade rating district.
- (vi) Pursuant to s.107 of the *Local Government Act 1993* Council declares by absolute majority that the permanent brigade district fire rate is varied within the permanent brigade rating district according to the use or predominant use of land, as follows:
 - a) for land used for commercial purposes, vary the permanent brigade district fire rate to 1.30 cents in the dollar of AAV.
 - b) for land used for industrial purposes, vary the permanent brigade district fire rate to 0.99 cents in the dollar of AAV.
 - c) for land used for primary production purposes, vary the permanent brigade district fire rate to 0.94 cents in the dollar of AAV.
 - d) for land used for public enterprise purposes, vary the permanent brigade district fire rate to 1.46 cents in the dollar of AAV.
 - e) for land used for residential purposes, vary the permanent brigade district fire rate to 0.89 cents in the dollar of AAV.
 - f) for land used for sporting or recreation facilities, vary the permanent brigade district fire rate to 0.54 cents in the dollar of AAV.
 - g) for non-use of the land, vary the permanent brigade district fire rate to 0.82 cents in the dollar of AAV.
- (vii) A Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
 - a) A Service charge of \$260 to apply to residential properties;

and

- b) A Service charge of \$520 to apply to non-residential properties.
- (viii) A Waste Management Service Charge of \$65 be made for kerbside food organics garden organics waste collection for all rateable land within the municipal area to which Council supplies or makes available a food organics garden organics waste collection service fortnightly utilising a food organics garden organics waste collection bin.
- (ix) Pursuant to s.94 of the *Local Government Act 1993*, a Waste Management Service Charge for food organics garden organics collection be made in the sum of \$150.00 for all rateable land within the municipal area to which Council supplies or makes available a food organics garden organics waste collection service weekly utilising a food organics garden organics collection bin
- (x) Pursuant to s.94 of the *Local Government Act 1993*, a service charge be made for waste management services to offset a levy payable by the Council to the State Government under the Waste and Resource Recovery Act 2022 (a Waste Management Levy Offset Service Charge) and varied according to the use or predominant use of land as follows:
 - a) A Service charge of \$10 to apply to residential properties; and
 - b) A Service charge of \$20 to apply to non-residential properties.
- 5. The penalty on unpaid rates be 3 per cent of the amount.
- 6. The interest rate on unpaid rates be 8.13 per cent per annum, charged monthly.
- 7. Unspent 2021-22 capital funding be carried-forward into 2022-23, with any necessary adjustments to be made in the September 2022 quarter financial report to the Council.
- 8. The 2022-23 Annual Plan, marked as Attachment D to item 6.1 of the Open Finance and Governance Committee agenda of 21 June 2022 be adopted.
- 9. The Long Term Financial Management plan 2023-32, marked as Attachment B to item 6.1 of the Open Finance and Governance Committee agenda of 21 June be adopted.
- 10. The following delegations be approved:

- (i) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to the Chief Executive Officer, being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas) the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan 2022-23; and, the Council authorise the Chief Executive Officer to delegate, pursuant Section 64 of the *Local Government Act 1993*, to such employees of the Council as she considers appropriate, the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan.
 - (ii) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to all the Council Committees the power to expend monies on the Council's behalf identified as Delegation Classification 2 items in the Council's Annual Plan 2022-23.
- 11. The Council note that a mid-year review of the 2022-23 Budget Estimates and Long Term Financial Management Plan 2022-32 will be undertaken.
 - 12. The Council note that a review of the mechanism adopted to determine future rate increases will be undertaken during the 2022-23 financial year.
 - 13. The Council adopt the amended City of Hobart Rates and Charges policy, marked as Attachment E to item 6.1 of the Open Finance and Governance Committee agenda of 21 June 2022.
 - 14. The Chief Executive Officer be authorised to finalise the City of Hobart Rates and Charges Policy and arrange for it to be made available to the public in a paper format from the Council's Customer Service Centre and in an electronic format from Council's website.
 - 15. The Council note the observations of the Risk and Audit Panel as detailed in this report.

ZUCCO
HARVEY


That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

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

Attachment

A Lord Mayor's 2022-23 Budget Speech ⇨ 

CITY PLANNING COMMITTEE

10. 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.

10.1 21 Burnside Avenue, New Town - Change of Use to Visitor Accommodation **PLN-22-249 - File Ref: F22/56705; PLN-22-249**

Ref: Open [CPC 7.1.3](#), 20/06/2022
Application Expiry Date: 27 June 2022

That the item be referred to the Council without recommendation.

BURNET
SHERLOCK

That the Council refuse the application for a change of use to visitor accommodation at 21 Burnside Avenue, New Town pursuant to the Hobart Interim Planning Scheme 2015 and Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of Planning Directive No.6 because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Council refuse the application for a change of use to visitor accommodation at 21 Burnside Avenue, New Town pursuant to the Hobart Interim Planning Scheme 2015 and Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of Planning Directive No.6 because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.

10.2 3 Bimbadeen Court, West Hobart and Adjacent Road Reserve - Garage and Studio
PLN-21-743 - File Ref: F22/57262

Ref: Open [CPC 7.1.4](#), 20/06/2022
Application Expiry Date: 20 July 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for garage and studio at 3 Bimbadeen Court West Hobart TAS 7000 and adjacent road reserve for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 22 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-21-743 3 BIMBADEEN COURT WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

The height (to the parapet) of the proposed studio must be no greater than 5.75 metres (RL189.950)

Advice:

Amended plans submitted on 31st May 2022 SK05- dated 31/05/2022 are considered to meet this condition.

Reason for condition

To comply with clause 10.4.2 P3 of the *Hobart Interim Planning Scheme 2015*.

ENG sw1

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

Advice:

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

Reason for condition

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

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted and approved. The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. clearances from any nearby obstacles (eg services, crossovers, trees, poles, walls)
4. long-sections of the proposed connection clearly showing cover, size, grade, material and delineation of public and private infrastructure;
5. connections which are free-flowing gravity driven.
6. be in general accordance with Council's departures from the LGAT Tasmanian Standard Drawings, available from [here](#)

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

Advice:

Upgraded or new connections can be approved separate from the CEP process, via the Application for New Connection form available from [here](#). The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

A single connection for the property is required under the Urban Drainage Act 2013.

ENG 3a

The access driveway and parking area must be constructed in accordance with the following documentation which forms part of this permit: PLN-21-743 - 3 BIMBADEEN COURT WEST HOBART TAS 7000 - Driveway Plans - Additional Information - AIS-22-713 (received by the Council on the 27th of April 2022).

Any departure from that documentation and any works which are not detailed in the documentation must be either:

- (a) approved by the Director City Life, via a condition endorsement application; or
- (b) designed and constructed in accordance with Australian Standard AS/NZ 2890.1:2004.

The works required by this condition must be completed prior to first occupation.

Reason for condition

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

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.

ENG r3

Prior to the commencement of use, the proposed driveway crossover on the Bimbadeen Court highway reservation must be designed and constructed in accordance with:

- Urban Roads Driveways and TSD R14-v3 Type KC vehicular crossing;

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. The design drawings must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Detail any services or infrastructure (ie light poles, pits, awnings) at or near the proposed driveway crossover;
3. Show swept path templates in accordance with AS/NZS 2890.1 2004(B85 or B99 depending on use, design template);
4. If the design deviates from the requirements of the TSD, then

demonstrate that a B85 vehicle or a B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2), can access the driveway from the road pavement into the property without scraping the vehicle's underside;

5. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
6. Be prepared and certified by a suitable qualified person, to satisfy the above requirements.

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

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Program Leader Road Services and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Reason for condition

To ensure that works will comply with the Council's standard requirements.

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.

PLN 18

The mature trees on the mutual boundary with 5 Bimbadeen Court adjacent to the proposed rear retaining wall must be protected throughout excavation and post construction.

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

1. be prepared by a suitable qualified person; and
2. show all tree protection zones and relevant measures specified under Section 3 Determining the Protection Zones of the Selected Trees, Section 4 Tree Protection Measures and Section 5 Monitoring and Certification of AS 4970-2009 Protection of trees on development sites, around (tree details), or
3. should the trees have to be removed, replacement specimens of a similar height must be included in the required landscape plan and maintained to ensure the ongoing screening of the proposed retaining wall and privacy screen from the deck of 5 Bimbadeen Court.

All work required by this condition must be undertaken in accordance with the approved report or landscape 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 visual impact of the development complies with clause 10.4.2 P3.

PLN 20

The site must be landscaped to ensure the visual impact of the retaining walls is softened and minimised within six (6) months of completion.

A landscaping plan must be submitted and approved as a Condition Endorsement, prior to the commencement of work. The landscape plan must:

1. show species of trees and shrubs proposed, and locations, and other finishes, and structures, in front of and upon the proposed retaining walls.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. The landscaping must be maintained, and if any vegetation is lost, it must be replaced.

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 compliance with 10.4.2 P1 (iv) of the *Hobart Interim Planning Scheme 2015*.

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.

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

Any works within one metre of any third-party pipe may require consent under section 73 of the *Building Act 2016*.

WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure by law. Click [here](#) for more information.

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on

any reinstatement of the driveway access within the Highway Reservation required in the future.

EXISTING EASEMENT

The proposal involves construction of a studio / garage against the easement burdening the property shown as Drainage Easement 2.00 Wide on SP 110771. This easement is both a drainage easement and services easement in favour of the property at 51 Summerhill Road.

The private drainage and service rights of the property at 51 Summerhill Road to this easement must not be reduced, restricted or impeded in any way by the proposed development.

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

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

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

NOES

Deputy Lord Mayor Burnet
Dutta

11. Submission on the 30-Year Greater Hobart Plan
File Ref: F22/53943

Ref: Open [CPC 8.1](#), 20/06/2022

That the Council provide feedback to the Greater Hobart Committee on the 30-Year Greater Hobart Plan stating that:

- (i) the Draft Plan provides an important and valuable contribution to planning for the sustainable growth of Greater Hobart while protecting those values important to our community and visitors
- (ii) the development of a Plan providing for better integration of land use and infrastructure planning is supported
- (iii) the revised residential targets of 70:30 infill to greenfield supported by a land release program are supported
- (iv) revised densification areas are supported including a review of the densification area in Sandy Bay where targets may not be achievable due to heritage constraints
- (v) this framework providing for a diversity of housing types and encouraging more medium-density housing is essential
- (vi) the Greater Hobart Plan Implementation Plan must ensure that all measures for providing for affordable, social and community housing including encouraging more “build-to-rent” need to be fully explored
- (vii) it is important that the Implementation Plan fully investigate any impediments to delivering the medium-density housing form of development
- (viii) the Plan and Implementation Plan must facilitate improved mechanisms to fund infrastructure
- (ix) the Plan could be strengthen around alternative transport such as more emphasis on ferries and the City Deal Public Transport targets for trips
- (x) the Community Infrastructure section of the Plan could be expanded
- (xi) developing a resilient community should be included in the policy directions.

BURNET
THOMAS

That the recommendation be adopted.

AMENDMENT

ZUCCO
DUTTA

That the 30-Year Greater Hobart Plan should not assume that the Sandy Bay University of Tasmania site will be developed as proposed in the UTAS Draft Master Plan given no rezoning application has been assessed or approved at this stage.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Council provide feedback to the Greater Hobart Committee on the 30-Year Greater Hobart Plan stating that:

- (i) the Draft Plan provides an important and valuable contribution to planning for the sustainable growth of Greater Hobart while protecting those values important to our community and visitors
- (ii) the development of a Plan providing for better integration of land use and infrastructure planning is supported
- (iii) the revised residential targets of 70:30 infill to greenfield supported by a land release program are supported
- (iv) revised densification areas are supported including a review of the densification area in Sandy Bay where targets may not be achievable due to heritage constraints
- (v) this framework providing for a diversity of housing types and encouraging more medium-density housing is essential
- (vi) the Greater Hobart Plan Implementation Plan must ensure that all measures for providing for affordable, social and community housing including encouraging more “build-to-rent” need to be fully explored
- (vii) it is important that the Implementation Plan fully investigate any impediments to delivering the medium-density housing form of development
- (viii) the Plan and Implementation Plan must facilitate improved mechanisms to fund infrastructure
- (ix) the Plan could be strengthen around alternative transport such as more emphasis on ferries and the City Deal Public Transport targets for trips
- (x) the Community Infrastructure section of the Plan could be expanded
- (xi) developing a resilient community should be included in the policy directions.
- (xii) the 30-Year Greater Hobart Plan should not assume that the Sandy Bay University of Tasmania site will be developed as proposed in the UTAS Draft Master Plan given no rezoning application has been assessed or approved at this stage.

12. Compliance and Investigation Policy and Infringement Review Guidelines

File Ref: F22/52965; 18/405

Ref: Open [CPC 8.2](#), 20/06/2022

That: 1. The Council adopt the Compliance and Investigation Procedure Policy marked as Attachment A to item 8.2 of the Open City Planning Committee agenda of 20 June 2022 with an additional clause under section 8 of the policy to read as follows:

8.8 Any person who is not satisfied with Council's response to non-compliant activity may refer the matter for external review to the Tasmanian Ombudsman who is an independent officer responsible for investigating complaints about the administrative actions of local government; and

2. The Council adopt the Infringement Review Guidelines marked as Attachment B to item 8.2 of the Open City Planning Committee agenda of 20 June 2022.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

13. Monthly Planning Statistics - 1 May - 31 May 2022

File Ref: F22/53706

Ref: Open [CPC 8.3](#), 20/06/2022

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

During the period 1 May 2022 to 31 May 2022, 89 permits were issued to the value of \$114,540,125 which included:

- (i) 6 new single dwellings to the value of \$2,660,000;
- (ii) 5 multiple dwellings to the value of \$2,230,000;
- (iii) 30 extensions/alterations to dwellings to the value of \$7,615,344;
- (iv) 12 extensions/alterations to commercial properties to the value of \$102,407,480;
- (v) 2 major projects:
 - (a) 80 Brisbane Street, Hobart - Partial Demolition, Alterations, Extension, Change of Use to Educational and Occasional Care, and Associated Works in Road Reserve, \$85,900,000;
 - (b) 1 McVilly Drive, 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, \$15,000,000.

During the period 1 May 2021 to 31 May 2021, 90 permits were issued to the value of \$14,148,684 which included:

- (i) 13 new single dwellings to the value of \$7,579,759;
- (ii) 6 multiple dwellings to the value of \$110,000;
- (iii) 36 extensions/alterations to dwellings to the value of 5,069,830;
- (iv) 12 extensions/alterations to commercial properties to the value of \$1,032,785;
- (v) Nil major projects:

In the twelve months ending May 2022, 697 permits were issued to the value of \$312,579,764; and

In the twelve months ending May 2021, 832 permits were issued to the value of \$322,156,000.

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

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

14. Monthly Building Statistics - 1 May - 31 May 2022
File Ref: F22/53699

Ref: Open [CPC 8.4](#), 20/06/2022

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

During the period 1 May 2022 to 31 May 2022, 40 permits were issued to the value of \$7,883,242 which included:

- (i) 26 for extensions/alterations to dwellings to the value of \$4,511,384;
- (ii) 1 new dwelling to the value of \$160,000;
- (iii) 2 new multiple dwellings to the value of \$570,000; and

(iv) No major projects:

During the period 1 May 2021 to 31 May 2021, 55 permits were issued to the value of \$19,187,498 which included:

- (i) 32 for extensions/alterations to dwellings to the value of \$4,108,772;
- (ii) 10 new dwellings to the value of \$3,146,228;
- (iii) 0 new multiple dwellings; and
- (iv) 1 major project:

- (a) 85-99 Collins Street, Hobart - Commercial Internal Alterations - \$8,480,000;

In the twelve months ending May 2022, 565 permits were issued to the value of \$243,570,185; and

In the twelve months ending May 2021, 686 permits were issued to the value of \$202,651,122.

BURNET
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

**15. Motor Bike Parking Reinstatement - Elizabeth Street between Macquarie
and Davey Streets
File Ref: F22/59438; 13-1-9**

Motion

“That the Council consider reinstating motor bike parking in the middle of Elizabeth street between Macquarie and Davey street with a report prepared by the CEO for the appropriate committee and Council to determine the outcome.

That consultation and feedback with relevant stake holders be initiated as part of the report back to Council.”

Rationale:

“For years motorbike parking was provided in this area and removed. Irrespective for the reasons it was removed and some parking provided elsewhere. At a time when parking and traffic is a high priority for both the residential and business sector encouraging more motor bike use should provide some relief to these issues even if it maybe a small percentage.

Revisiting decisions of Council that may assist in elevating some of Hobart’s traffic and parking issues and potentially help elevate some of these issues would be a positive for the city.

Council could also provide incentives to encourage those who own or purchase electric motor bikes such as a free charging station for electric motorbikes as part of a designated program to encourage more use of this transport.

The Motorcycle Riders Association of Australia Hobart branch has highlighted many benefits in providing facilities and encouraging more motor bike use to assist but there seems to be no real action taken in this domain.

It is time that the Council embarked on a program to encourage more motor bike users to ride their motor bikes into the City in particular that they take up so much less space on our roads and parking.

Free parking for motor bikes for a period of time and possible reduced parking fees for motor bikes with appropriate marketing and reinstating a much loved motor bike parking bay should be considered. Also some infrastructure such as storage lockers could also be implemented not only for Motor bike users but also bicycle users. Many years ago I put forward bicycle parking cages for the HCC carparks (part implemented) with shower facilities this could also be reconsidered.

I cannot see how it could be detrimental in reinstating the motor bike parking in this area. There are other Cities around Australia that have car paring in the middle of a street and this area remaining empty where it could be reinstated for a very good use needs to be addressed.

It is time to listen and consider options put forward by the MRAAH.”

Administration Response to Notice of Motion

Discussion

1. The motorcycle parking in Elizabeth Street between Davey Street and Macquarie Street was relocated to newly established areas as part of the bus interchange upgrade program, “The Palace Hotel” construction (now *Movenpick*) and associated safety concerns from bus operators, including Metro Tasmania.
2. Since that time additional bus departure points with higher service frequencies have been established in this part of Elizabeth Street.
3. Future options for public transport infrastructure and other street improvements in this section of Elizabeth Street do not foreshadow the return of motorcycle parking in this location.
4. City of Hobart officers periodically monitor free motorcycle parking areas to ensure sufficient motorcycle parking is available these road users. The last survey, generally undertaken during summer months, as winter has observably less motorcycles parking in the City, was distributed to elected members in December 2021. This indicated significant spare capacity in the free, on street motorcycle parking areas provided around the city.
5. Previous Council decisions have reduced the fees and charges associated with motorcycles in off-street carparks operated by the City of Hobart.
6. City of Hobart officers are always available to discuss motorcycle parking issues with representative bodies and are always looking for additional motorcycle parking opportunities across the City.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	5 – Movement and connectivity
Outcome:	5.1 An accessible and connected city environment helps maintain Hobart's pace of life 5.2 Hobart has effective and environmentally sustainable transport systems
Strategy:	5.1.1 Improve connectivity throughout Hobart's inner city and suburbs. 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.

Legislation and Policy

Legislation:	<i>Local Government (Highways) Act 1982</i>
Policy:	Not applicable.

Financial Implications

1. Should Council resolve to request a report, officer time would be required.

ZUCCO
SHERLOCK

That the motion be adopted with the inclusion of the words 'and other suitable motor bike parking areas in the CBD in consultation with stakeholders' after the word and following words 'Davey Street'.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

- That:
1. The Council consider reinstating motor bike parking in the middle of Elizabeth Street between Macquarie and Davey Street and other suitable motor bike parking areas in the CBD, in consultation with stakeholders, with a report prepared by the Chief Executive Officer for the appropriate committee and Council to determine the outcome.
 2. Consultation and feedback with relevant stakeholders be initiated as part of the report back to Council.

16. Local Government Election - Caretaker Provisions
File Ref: F22/59445; 13-1-9

Motion

"A report be provided to Council regarding possible Caretaker provisions to be considered for adoption before the 2022 Local Government election."

Rationale:

As Local Government elections loom closer it is critical that the organisation of Council is kept separate from and does not fall victim to the politics of election time. It is also important to ensure that major decisions are not made that should be made post-election. This is a position that this Council has supported in the past, endorsing submissions to the *Future of Local*

Government Review in support of such provisions being included into the Local Government Act. Whilst this is proper, it is also appropriate that the City of Hobart undertakes to implement such provisions on its own in the lead up to the 2022 elections.

In its submission to the *Future of Local Government Review* Council stated:

- Restrictions on the activities of Councils during the lead up to local government elections are important to ensure that councils are making decisions that protect council resources and do not inappropriately burden an incoming council.
- Councils which adopt a caretaker policy voluntarily may still decide to ignore it without any real consequences, meaning that the potential for inappropriate decisions being made in the lead up to an election remains.
- Council submits that, at a minimum, the following types of decisions should be prohibited under Act during the election period:
 - Relating to the appointment or remuneration of the Chief Executive Officer (but not the appointment or remuneration of an Acting Chief Executive Officer),
 - Committing the council to expenditure exceeding one per cent of the council's income from rates and charges in the preceding financial year,
 - Allocating resources for use, whether with express or tacit approval, to elected members beyond what is allocated in existing policies,
 - Adopting new by-laws or policies
- Which the council considers could be reasonably deferred until the next council is in place
- Which the council considers should not otherwise be made during an election period
- Legislating for these matters will ensure that the position in the lead up to local government elections is consistent across the sector and enforceable.

While it is noted that it would be preferable for such provisions to be legislated, as previously stated, this is not something that would feasibly be expected to occur before the election period begins in 2022. It is therefore prudent that the CEO report back to Council on appropriate wording for Caretaker provisions that Council can voluntarily enter into, and importantly commit to following, in the lead up to this election period.

Administration Response to Notice of Motion

Discussion

1. As noted in the rationale for the motion, the adoption of a caretaker policy would be consistent with the Council's submission into the Future of Local Government Review. It would also be consistent with

- the draft Governance Framework being considered on this same agenda.
2. The Minister for Local Government recently wrote to the Lord Mayor encouraging the adoption of a policy on caretaker provisions similar to that recently introduced by Kingborough Council.
 3. It is considered that the adoption of such a policy in the absence of legislative amendments dealing with same is good governance. A draft policy could be presented to the Council's Finance and Governance Committee meeting in July.

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 ethics and transparency in the City's governance, policymaking and operations.

8.1.2 Practise and communicate good city governance and decision-making.

Legislation and Policy

Legislation: Local Government Act 1993

Policy: Not applicable.

Financial Implications

1. None arise from this motion.

BEHRAKIS
THOMAS

That the motion be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That a report be provided to Council regarding possible Caretaker provisions to be considered for adoption before the 2022 Local Government election.

FINANCE AND GOVERNANCE COMMITTEE

17. Governance Framework
File Ref: F22/53819; 15/162-0013

Ref: Open [FGC 6.2](#), 21/06/2022

That the draft Governance Framework marked as Attachment A to item 6.2 of the Open Finance and Governance Committee agenda of 21 June 2022, be adopted.

ZUCCO
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

18. Amendments to Officer Council Delegations
File Ref: F22/52861; s32-013-07

Ref: Open [FGC 6.3](#), 21/06/2022

That the Council approve the amendments to the Council Delegations for the Chief Executive Officer, Director City Life, Director City Futures, Manager Urban Futures, Manager Development Appraisal and the Senior Statutory Planner as shown in Attachment A to item 6.3 of the Open Finance and Governance Committee agenda of 21 June 2022.

ZUCCO
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Councillor Sherlock left the meeting after declaring an interest in 19.

19. Response to Notice of Motion - UTAS Move to the City; and Resolutions from Public Meetings in Response to Save UTAS
File Ref: F22/52334 & F22/52335

Ref: Open [FGC 6.4](#), 21/06/2022

Ref: Open [FGC 6.5](#), 21/06/2022

PART A

- That: 1. The Council notes the officer report regarding the UTAS public meeting motions and questions;
2. That attendees of the meeting be thanked, and that information and responses to questions contained in this report and Item 6.4 of the Open Finance and Governance Committee agenda of 21 June 2022, be emailed or mailed to those people who registered for the public meeting;
3. The relevant institutions and representatives (including UTAS Council Members, and relevant State government representatives) be sent all public meeting motions and the Council's response to the motions from the public meeting for their information and consideration;
4. In response to concerns raised by the public, and the motions from the UTAS public meeting, the following information be collated under a UTAS tab on Council's website:
- a. the supporting information attachments of Item 6.4 and this report marked as Item 6.5, from the Open Finance and Governance Committee agenda of 21 June 2022;
 - b. a timeline diagram outlining the chronology of dates, meetings, announcements, policies and decisions agreed by Council relating to the UTAS proposals since 2009;
 - c. information to specifically explain the statutory obligations Council has relating to acting as a planning authority, as well as obligations elected members have to consider development applications without apprehended bias, according to the Local Government Act;
 - d. the CEO consider any other communications that might help the public's understanding of the roles of responsibilities of Council in this matter;
5. Council notes that as part of the role as city manager, Council officers engage and discuss plans and city-shaping proposals with all large employers and city stakeholders, including UTAS, in

accordance with the City's strategic, social and economic goals, always in accordance with the law;

6. In relation to the City of Hobart and UTAS Governance forum;
 - a. Council notes that the Governance Forum, established by unanimous resolution of the Council in 2019, has not met since September 2021 and not since the release of the Sandy Bay Master Plan;
 - b. the City of Hobart and UTAS Governance forum be disbanded;
7. On the matter of declaring interest in regard to matters relating to UTAS, elected members continue with the standard practice as set out in the *Local Government Act (1993)* as per s48(2) and s54 noting that elected members may voluntarily declare and provide additional information if they wish, as deemed appropriate at any time;
8. Council notes that a parliamentary inquiry into UTAS is being considered. Should the Council make a submission, then the report marked as Item 6.5 and attachments of Item 6.4, of the Open Finance and Governance Committee agenda of 21 June 2022, be considered to form the basis of that submission;
9. The Council write to the University requesting it provide permission for the public release of the relevant notes taken from the City of Hobart and UTAS Governance Forum meetings .

PART B

That subject to qualified advice the Council make public the relevant report, with appropriate redactions if required, prior to the City Deal being agreed to which was put before a special closed meeting of the Finance and Governance Committee in December 2018.

ZUCCO
DUTTA

That the recommendation be adopted.

BEHRAKIS
THOMAS

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

AMENDMENT

BRISCOE
BEHRAKIS

That the questions asked by Mr Michael Foster at the Finance and Governance Committee meeting of 21 June 2022, be the subject of a further officer report to address them:

1. Consequent upon the Council's 6 February 2017 resolution to undertake joint initiatives on the socio-economic impact of relocation, what joint initiatives were undertaken, where are the reports, and if none then what steps will Hobart City Council take to have such studies completed BEFORE the Council has to consider any applications relating to relocation?
2. At pages 21, 24 and 26 the officers' report it says that all the necessary research and analysis in relation to residential amenity, traffic and impact on the CBD of relocation cannot be undertaken until the university clarifies its plans. What steps does Hobart City Council intend to undertake to ensure that such reports are completed before the Hobart City Council has to consider any applications by the university (including DAs and rezoning), noting that the developer may not undertake them and that if it did they would not be independent?
3. What research underlies the statement at page 25 that "experience from elsewhere indicates that the move of universities downtown generally have a positive effect on business" or that such a statement has any relevance to the actual relocation proposal in Hobart?
4. What research underlies the statement at page 26 that there is the opportunity for relocation to be positive for overall traffic?

5. What research underlies the supposition at page 26 that in the context of relocation in Hobart it is likely that travel patterns will not be “business as usual” with many trips taken by car?
6. What steps has the university taken to put in place a Community Engagement process, with in-depth material and transparency and an openness to modify plans and the presentation of tangible options for compromise, as requested by the Hobart City Council on 23 March 2022 and is the Hobart City Council satisfied that sufficient steps have been taken and if not then what steps will the Hobart City Council take to request the university to comply with the request?
7. What steps will the Hobart City Council take to ensure that the Community Engagement process to be conducted by the university will be completed before the Hobart City Council considers and applications by the university?

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

BRISCOE
BURNET

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

BRISCOE
BEHRAKIS

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

BRISCOE
BEHRAKIS

That Alderman Zucco be granted an additional two minute to sum up.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

PART A

- That: 1. The Council notes the officer report regarding the UTAS public meeting motions and questions;
2. That attendees of the meeting be thanked, and that information and responses to questions contained in this report and Item 6.4 of the Open Finance and Governance Committee agenda of 21 June 2022, be emailed or mailed to those people who registered for the public meeting;

3. The relevant institutions and representatives (including UTAS Council Members, and relevant State government representatives) be sent all public meeting motions and the Council's response to the motions from the public meeting for their information and consideration;
4. In response to concerns raised by the public, and the motions from the UTAS public meeting, the following information be collated under a UTAS tab on Council's website:
 - a. the supporting information attachments of Item 6.4 and this report marked as Item 6.5, from the Open Finance and Governance Committee agenda of 21 June 2022;
 - b. a timeline diagram outlining the chronology of dates, meetings, announcements, policies and decisions agreed by Council relating to the UTAS proposals since 2009;
 - c. information to specifically explain the statutory obligations Council has relating to acting as a planning authority, as well as obligations elected members have to consider development applications without apprehended bias, according to the Local Government Act;
 - d. the CEO consider any other communications that might help the public's understanding of the roles of responsibilities of Council in this matter;
5. Council notes that as part of the role as city manager, Council officers engage and discuss plans and city-shaping proposals with all large employers and city stakeholders, including UTAS, in accordance with the City's strategic, social and economic goals, always in accordance with the law;
6. In relation to the City of Hobart and UTAS Governance forum;
 - a. Council notes that the Governance Forum, established by unanimous resolution of the Council in 2019, has not met since September 2021 and not since the release of the Sandy Bay Master Plan;
 - b. the City of Hobart and UTAS Governance forum be disbanded;
7. On the matter of declaring interest in regard to matters relating to UTAS, elected members continue with the standard practice as set out in the *Local Government Act (1993)* as per s48(2) and s54 noting that elected members may voluntarily declare and provide additional information if they wish, as deemed appropriate at any time;

8. Council notes that a parliamentary inquiry into UTAS is being considered. Should the Council make a submission, then the report marked as Item 6.5 and attachments of Item 6.4, of the Open Finance and Governance Committee agenda of 21 June 2022, be considered to form the basis of that submission;
9. The Council write to the University requesting it provide permission for the public release of the relevant notes taken from the City of Hobart and UTAS Governance Forum meetings .

PART B

That subject to qualified advice the Council make public the relevant report, with appropriate redactions if required, prior to the City Deal being agreed to which was put before a special closed meeting of the Finance and Governance Committee in December 2018.

PART C

That the questions asked by Mr Michael Foster at the Finance and Governance Committee meeting of 21 June 2022, be the subject of a further officer report to address them:

1. Consequent upon the Council's 6 February 2017 resolution to undertake joint initiatives on the socio-economic impact of relocation, what joint initiatives were undertaken, where are the reports, and if none then what steps will Hobart City Council take to have such studies completed before the Council has to consider any applications relating to relocation?
2. At pages 21, 24 and 26 the officers' report it says that all the necessary research and analysis in relation to residential amenity, traffic and impact on the CBD of relocation cannot be undertaken until the university clarifies its plans. What steps does Hobart City Council intend to undertake to ensure that such reports are completed before the Hobart City Council has to consider any applications by the university (including Development Applications and rezoning), noting that the developer may not undertake them and that if it did they would not be independent?
3. What research underlies the statement at page 25 that "experience from elsewhere indicates that the move of universities downtown generally have a positive effect on business" or that such a statement has any relevance to the actual relocation proposal in Hobart?
4. What research underlies the statement at page 26 that there is the opportunity for relocation to be positive for overall traffic?
5. What research underlies the supposition at page 26 that in the context of relocation in Hobart it is likely that travel patterns will not be "business as usual" with many trips taken by car?

6. What steps has the university taken to put in place a Community Engagement process, with in-depth material and transparency and an openness to modify plans and the presentation of tangible options for compromise, as requested by the Hobart City Council on 23 March 2022 and is the Hobart City Council satisfied that sufficient steps have been taken and if not then what steps will the Hobart City Council take to request the university to comply with the request?
7. What steps will the Hobart City Council take to ensure that the Community Engagement process to be conducted by the university will be completed before the Hobart City Council considers and applications by the university?

PARKS AND RECREATION COMMITTEE

20. Review of Council Tree Compensation Policy File Ref: F22/2563

Ref: Open [PRC 6.1](#), 16/06/2022

- That:
1. The City of Hobart Tree Compensation Policy be retained as best practice tool for the incorporation of the value of trees to the City and to the environment.
 2. The City convene regular forums for professional associations such as architects, designers, engineers and urban designers to explain the policy to ensure it is considered early in the design process.
 3. An i-Tree Eco fee be calculated, that defines the value of the ecosystem services that a tree provides for any tree that is approved for removal.

BRISCOE
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Behrakis

21. 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
- Matters relating to Council property
- Confidential information provided to 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 | Giblin Street Quarry Site - Expressions of Interest to Sell or Lease Land
LG(MP)R 15(2)(f) |
| Item No. 7 | The Brunswick Hotel - Fee Waiver Request
LG(MP)R 15(2)(g) and (j) |
| Item No. 8 | TasWater Corporate Plan - 2023-2027
LG(MP)R 15(2)(g) |
| Item No. 9 | Proposed Access Licence - 1/10 & 2/10 Olinda Grove through Council's Land 12 Olinda Grove
LG(MP)R 15(2)(d) and (f) |
| Item No. 10 | Risk and Audit Panel Minutes - 14 December 2021 and 9 February 2022
LG(MP)R 15(2)(g) |

BURNET
THOMAS

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

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

There being no further business the Open portion of the meeting closed at 7.54pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
11TH DAY OF JULY 2022.

CHAIRMAN