



CITY OF HOBART

AGENDA

OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 27 MAY 2024
AT 5.00 PM



THE MISSION

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

OUR VALUES

THE COUNCIL IS:

PEOPLE

We care about people – our community, customers and colleagues

TEAMWORK

We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.

FOCUS AND DIRECTION

We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.

CREATIVITY AND INNOVATION

We embrace new approaches and continuously improve to achieve better outcomes for our community.

ACCOUNTABILITY

We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

VISION

OUR VISION, MISSION AND VALUES HOBART: A COMMUNITY VISION FOR OUR ISLAND CAPITAL

Hobart breathes.

Connections between nature, history, culture, businesses and each other are the heart of our city

We are brave and caring.

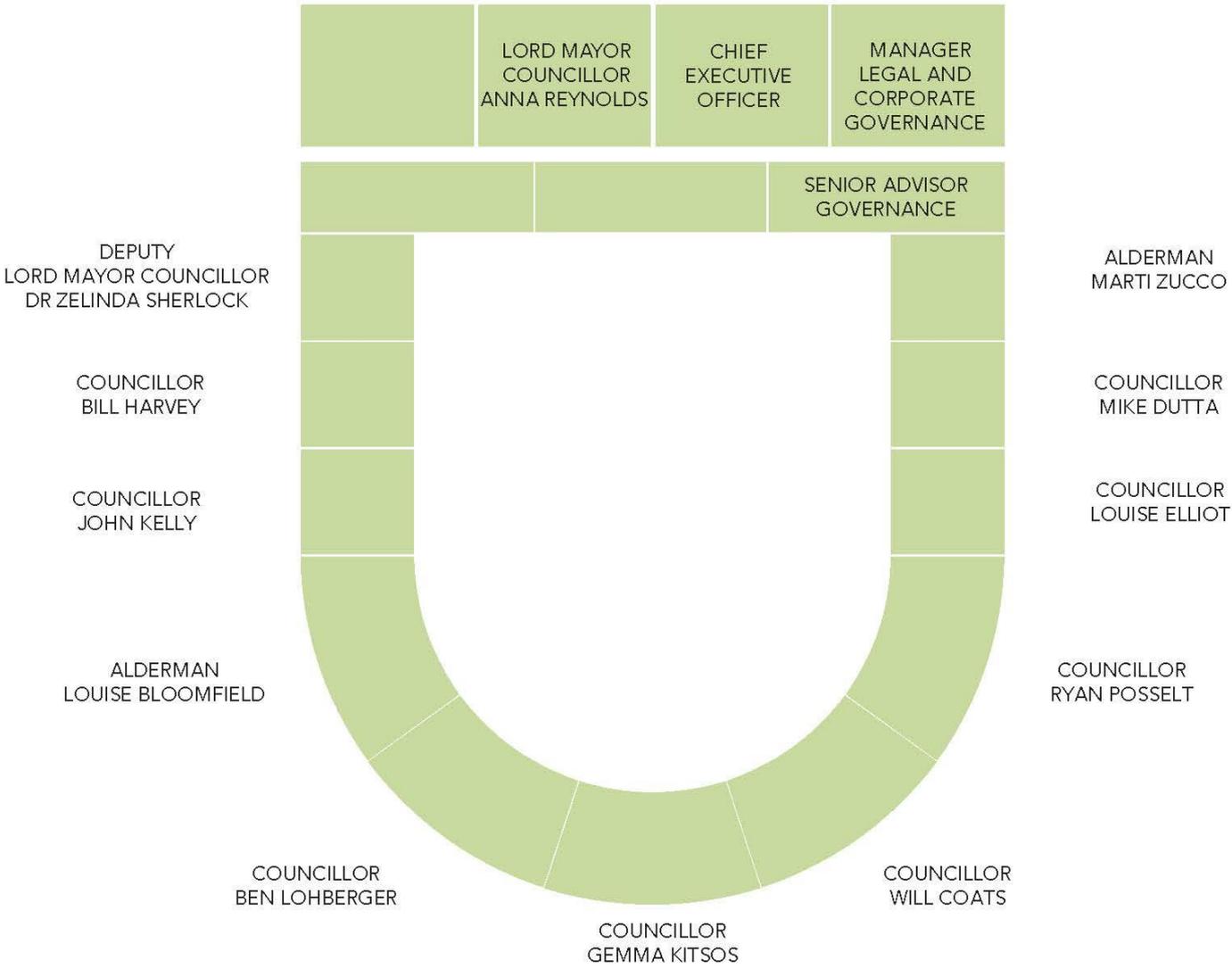
We resist mediocrity and sameness.

As we grow, we remember what makes this place special.

We walk in the fresh air between all the best things in life.



City of **HOBART**



ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. ACKNOWLEDGEMENT OF COUNTRY 6
2. CONFIRMATION OF MINUTES..... 6
3. TRANSFER OF AGENDA ITEMS..... 6
4. COMMUNICATION FROM THE CHAIRPERSON 6
5. NOTIFICATION OF COUNCIL WORKSHOPS..... 7
6. PUBLIC QUESTION TIME 7
7. PETITIONS..... 7
8. CONSIDERATION OF SUPPLEMENTARY ITEMS 8
9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 8

OFFICER REPORTS..... 9

10. Collins Street Tactical Bicycle Infrastructure 9
11. Central Hobart Plan - Implementation Program - Year One 18
12. Stormwater Management Policy for Development..... 28
13. Quarterly Financial Report - 31 March 2024..... 35
14. 2024-25 Fees and Charges..... 46
15. Procurement - Quotation Exemption Report 51

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

16. Menopause 56
17. Support for updating the Local Government Act 1993 and Code
of Conduct..... 59
18. Elizabeth Street Mall Information Booth..... 63
19. Breastfeeding is Welcome Everywhere..... 65
20. Virgin Australia and Air New Zealand..... 70
21. Upholding Integrity in Planning Decisions 76

22. Confirmation of Council Position on UTAS Move Post 2024 State Election	81
23. Catchment Management	86
24. Crowther Statue Vandalism, Repair and Future	89
25. Two-Step Planning Application Review Process	92
26. RESPONSES TO QUESTIONS WITHOUT NOTICE.....	94
27. QUESTIONS WITHOUT NOTICE	95
BUSINESS ARISING	
28. Questions Taken on Notice During Debate.....	96
29. CLOSED PORTION OF THE MEETING.....	97

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 27 MAY 2024 AT 5.00 PM.

**Michael Stretton
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).

ELECTED MEMBERS:

Lord Mayor A M Reynolds
Deputy Lord Mayor Z E Sherlock
Alderman M Zucco
Councillor W F Harvey
Councillor M S C Dutta
Councillor J L Kelly
Councillor L M Elliot
Alderman L A Bloomfield
Councillor R J Posselt
Councillor B Lohberger
Councillor W N S Coats
Councillor G H Kitsos

APOLOGIES:

LEAVE OF ABSENCE: Nil.

1. ACKNOWLEDGEMENT OF COUNTRY

2. CONFIRMATION OF MINUTES

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 29 April 2024](#), finds them, together with item 19.3, as amended, of the Open Portion of the Council meeting held on [Monday, 19 March 2024](#), to be a true record and recommends that they be taken as read and signed as a correct record.

3. 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*?

4. COMMUNICATION FROM THE CHAIRPERSON

5. 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: Monday, 6 May 2024
Purpose: 2024-25 Budget

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor Z Sherlock, Alderman M Zucco, Councillors B Harvey, M Dutta, J Kelly, L Elliot, W Coats and G Kitsos.

Apologies:

Councillor R Posselt

Date: Monday, 20 May 2024
Purpose: Memorials Policy and Budget Feedback Session

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor Z Sherlock, Alderman M Zucco, Councillors B Harvey, M Dutta, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt, and G Kitsos.

Apologies:

Councillors B Lohberger

6. PUBLIC QUESTION TIME

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

6.1 Public Questions

7. PETITIONS

8. 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*.

9. 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.

OFFICER REPORTS

10. Collins Street Tactical Bicycle Infrastructure File Ref: F24/30445

Report of the Senior Transport Planner, the Manager City Mobility and the Director City Futures of 21 May 2024 and attachment.

Delegation: Council

REPORT TITLE: COLLINS STREET TACTICAL BICYCLE INFRASTRUCTURE**REPORT PROVIDED BY:** Senior Transport Planner
Manager City Mobility
Director City Futures**1. Report Summary**

- 1.1. This report seeks endorsement from Council to proceed with detailed design and with further communications and engagement for the Collins Street bikeway project. The current concept plan is included at **Attachment A**.
- 1.2. This report provides detail on the strategic significance of Collins Street for bicycle infrastructure, initial engagement activities, key components of the concept design and planned communications and engagement to inform the project.
- 1.3. This project forms the planning phase for tactical installation of protected bicycle lanes on Collins Street between Molle Street and Murray Street. A further report to Council will be prepared to seek endorsement of detailed designs and to proceed with delivery in the latter half of 2024.

2. Key Issues

- 2.1. In recent years the City has completed the Hobart Rivulet Park corridor from the Molle Street junction on the edge of the Hobart CBD to the Cascade Brewery, strengthening a valued connection between kunanyi/Mount Wellington and the CBD for people walking, riding bikes and for mobility device users. Continuation of this corridor towards the CBD will enable Collins Street to become a truly vibrant street for people, to connect the mountain and the CBD, and support further development.
- 2.2. This project is for tactical installation of bicycle infrastructure on Collins Street, for an initial period of 24 months from installation.
- 2.3. 'Tactical installation' refers to installation with lower-cost, adjustable street interventions to incorporate bicycle infrastructure. This may include line marking, signage, bollards and other temporary materials that can be quickly installed and adjusted as required during the life of the project.
- 2.4. Proposed tactical installation enables streetscape improvements to be delivered quickly, delivering additional transport choice and supporting more riders of all ages and abilities to access this important commuter and recreational corridor. The tactical installation will also enable

monitoring, engagement, evaluation and where necessary modifications to the design to be implemented quickly and responsively over the life of the project and to inform future permanent installation of bicycle infrastructure on Collins Street.

3. **Recommendation**

That:

1. ***The Council endorse the concept plan for tactical bicycle lanes on Collins Street between Molle Street and Murray Street to proceed to further project communications and engagement, and detailed design.***
2. ***Following implementation of the above recommendation, an Engagement Summary report be provided to the Council for consideration, and approval sought for the installation of the Collins Street Tactical Bicycle Infrastructure.***

4. **Background**

- 4.1. Collins Street is identified as a key corridor for bicycles across a number of strategic and operational documents, over a number of years:
 - 4.1.1. The Inner-City Action Plan (ICAP), produced in response to the 2010 Gehl Architects report, 'Hobart 2010 Public Spaces and Public Life – a city with people in mind.' Cycling infrastructure for Collins Street is the final remaining recommended project from the ICAP yet to be implemented.
 - 4.1.2. The Greater Hobart Cycling Plan (2021), a key output of the Hobart City Deal and the Greater Hobart Transport Vision.
 - 4.1.3. Collins Street is identified as a key route for active travel improvements including pedestrian, cycling and micromobility in the Central Hobart Plan, endorsed by Council at its meeting in September 2023.
 - 4.1.4. Collins Street is identified as a 'strategic' walking and cycling route in the Transport Network Operations Plan, jointly developed by the Department of State Growth and the City of Hobart.
- 4.2. This project has been informed by draft Urban Tasmania Tactical Cycling Infrastructure Guidance material by the Department of State Growth, which provides guidance on design, communications and

engagement and monitoring and evaluation of tactical cycling infrastructure projects.

- 4.3. At its meeting on 6 February, the City Mobility Portfolio Committee was briefed on the project and provided feedback on an early draft concept plan prepared for the Department of State Growth. This feedback has been considered by the project team and informed the current concept design.
- 4.4. Elected Members attended a briefing session with City Mobility officers on 8 May where the concept design was presented and key details of the project were discussed. These included:
 - 4.4.1. Project purpose and strategic alignment.
 - 4.4.2. Key streetscape design features including protected bicycle lanes, streetside dining opportunities, urban greening opportunities, bike/scooter parking opportunities, and reconfiguration of Victoria Street.
 - 4.4.3. Vehicle access and parking provision, including loading and accessible parking.
 - 4.4.4. Early project communications and engagement completed to date and further planned communications and engagement.
 - 4.4.5. How project success will be measured and monitored.
- 4.5. Further details on the above are included in the relevant sections of this report to address feedback received from Elected Members at this briefing.
- 4.6. It is understood a petition from Bicycle Network Tasmania with more than 1,300 signatures has been submitted to Council and will be considered at this meeting on 27 May 2024. The petition calls on the Council to honour its commitment in the Greater Hobart Cycling Plan to an All Ages and Abilities cycleway on Collins Street, and for the proposed tactical installation to include separated cycleways.

5. Legal, Risk and Legislative Considerations

- 5.1. Other than reputational and normal project management risk considerations, no specific legal, risk and legislative issues apply to the proposed next stage of the project.

6. Discussion

- 6.1. To accommodate bicycle lanes on the corridor, a number of modifications to the existing streetscape are proposed:
 - 6.1.1. Kerbside protected bicycle lanes for the project extent, with the exception of the section between Harrington and Victoria

streets where a shared bicycle/general traffic lane is indicated with 'sharrows.'

- 6.1.2. Reduction in the speed limit to 30km/h for the project extent.
- 6.1.3. In combination, these two facets of the project enable an 'All Ages and Abilities' route which supports the greatest number and diversity of riders, creating a low-stress and inclusive route and aligns with best practice road safety.
- 6.1.4. Consolidation of bus stops on Collins Street to Stop No.119 Collins Street.
- 6.1.5. Reconfiguration of Victoria Street:
 - 6.1.5.1. Allow two-way traffic movement on Victoria Street to facilitate vehicle access from Centrepont carpark onto Harrington Street.
 - 6.1.5.2. Disallow right turns from Victoria Street towards Collins Street south.
- 6.1.6. Removal of 59 parking bays between Molle Street and Murray Street, with 27 bays retained. Commentary on this is provided below.
- 6.2. Analysis undertaken by WSP indicates the removal of parking bays will not have significant impacts on parking availability in the immediate vicinity of the project, on the basis of the following:
 - 6.2.1. Priority access retained: 91% (a reduction of 8m) of priority kerbside parking functions (accessible parking bays and loading areas) are proposed to be retained, preserving these critical functions of kerbside access. Direct engagement through the City's Access Advisory Committee will inform the location of additional accessible parking bays to be included in the final design.
 - 6.2.2. Existing on-street demand: City of Hobart parking occupancy data shows weekday average occupancy between Molle and Murray streets at 58%, indicating existing supply exceeds demand. Parking demand varies across blocks, with weekday occupancy highest in the Harrington to Murray block (79%).
 - 6.2.3. Existing off-street supply and demand: there are 1,843 off-street parking bays within 200m of the project. This includes 782 available at Centrepont car park with weekday peak occupancy at approximately 83%, meaning at least 130 spaces available at any given time to absorb demand.
 - 6.2.4. Offset opportunities: the City of Hobart will carefully monitor parking occupancy and traffic impacts as part of its monitoring

and evaluation of the project. A number of offset opportunities for on-street parking within the vicinity of Collins Street have been identified for further investigation and can be repurposed to support short-stay parking as needed.

- 6.3. A number of additional opportunities to enhance the Collins Street as part of this project have been identified. These include:
 - 6.3.1. 'Parklet' outdoor dining opportunity located between 143 and 149 Collins Street to support local businesses and encourage street activation. Direct engagement with businesses on this opportunity is ongoing and any installation will align with relevant road safety and City policies, with installation beyond a 12 month trial phase subject to further City and Council approval.
 - 6.3.2. Street greening opportunities, which could include planter boxes forming part of outdoor dining opportunities, and in lane separators.
 - 6.3.3. Bicycle and scooter parking to support riders parking in proximity to Collins Street businesses.
 - 6.3.4. The above opportunities will be explored further during the detailed design phase of the project, including engagement with internal and external stakeholders.
- 6.4. A programme of ongoing communications and engagement, as well as monitoring and evaluation both pre- and post-installation is planned for this project. Further details of engagement to date and future planned activities are provided in sections 12 and 13 of this report.
- 6.5. Ongoing monitoring and evaluation both pre- and post-installation is planned to enable measurement of project impacts and where necessary, modifications to be made to the design. The following metrics will be used both pre-installation as well as 1 month, 3 months, 12 months into the project:
 - 6.5.1. Number of bike and micromobility riders, targeting an increase in riders.
 - 6.5.2. Diversity of users, targeting an increase in proportion of women and children and type of bicycles (e.g. road bikes, cargo bikes, mountain bikes) indicating the perceived safety and accessibility of the infrastructure.
 - 6.5.3. Increased access for people walking, targeting increases in people crossing mid-block indicating perceived safety.
 - 6.5.4. Road safety, targeting reduced vehicle speeds.

- 6.5.5. User confidence, targeting increased perceptions of safety for people walking and riding.
- 6.5.6. Feedback from local stakeholders, including users of the street, nearby properties and businesses. Targeting net positive sentiment towards the project.
- 6.5.7. Feedback from broader stakeholders, targeting net positive sentiment towards the project.

7. Hobart: A Community Vision For Our Island Capital

- 7.1. The project supports Pillar 5: Movement and Connectivity of the Community Vision.

8. Capital City Strategic Plan

- 8.1. The key strategic outcome of the Capital City Strategic Plan supported by the project is:

- 8.1.1. Pillar 5. Movement and Connectivity

- Outcome 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

- Outcome 5.2 Hobart has effective and environmentally sustainable transport systems.

9. Regional, State and National Plans and Policies

- 9.1. Collins Street is identified in the Greater Hobart Cycling Plan (2021) as a key route for All Ages and Abilities.

10. Financial Viability

- 10.1. Funding Source and Impact on Current Year Operating Result

- 10.1.1. The planning and design phase of this project has been funded by the Better Active Transport in Greater Hobart grant with matched funding provided by the City from its existing operating budget.

- 10.2. Impact on Future Years' Financial Result

- 10.2.1. The City has applied for further funding through the Better Active Transport in Greater Hobart grant program to complete installation, monitoring ongoing engagement and evaluation. Funding sought through the grant program will be matched by funds from the City's operating budget for 2024/25.

- 10.3. Asset Related Implications

10.3.1. None associated with the planning and design phase of this project.

11. Sustainability Considerations

11.1. The project will support greater uptake of bicycle riding on this important commuter and recreational corridor. Bicycle riding, whether pedal-powered or electric, and the use of other micromobility devices such as e-scooters, are low emissions forms of transport which will contribute to lowering community transport emissions.

11.2. The project is therefore aligned with the overarching theme 'Climate ready transport' in the City's draft Hobart Transport Strategy 2024.

12. Community Engagement

12.1. Early stakeholder engagement on the project to inform the design is currently occurring through April-May. This includes engagement with bus operators, Collins Street landowners and tenants, and internal City of Hobart stakeholders including the Access Advisory Committee. The project team have commenced direct engagement with businesses on Collins Street to seek feedback on the concept design and identify any opportunities and challenges to be resolved through detailed design.

12.2. Subject to Council endorsement, the project team will commence further engagement activities including pop up listening sessions on Collins Street for landowners, tenants and community members.

12.3. This project provides the opportunity for broad community engagement following installation, with monitoring, evaluation and community feedback informing any required modifications to the project once installed – refer section 6.5 of this report. Data collected during this monitoring, evaluation and feedback phase will inform designs for a permanent installation of bicycle infrastructure on Collins Street as part of the Collins Street vision project identified in the Central Hobart Plan.

13. Communications Strategy

13.1. The project team will communicate project updates directly to owners and occupiers of Collins Street and other key stakeholders via email. Regular, more general project updates will also be provided on the City's website.

13.2. Broad project communications will be ongoing and key messages aligned with the draft Hobart Transport Strategy 2024, demonstrating the project's contribution towards delivering transport choice for Hobart. This will include information and activities to support road users to adjust to the changed street space allocation, and broader behaviour change initiatives to support use of the new infrastructure.

14. Innovation and Continuous Improvement

- 14.1. This project will be the first of its kind in Tasmania. Tactical delivery of bicycle infrastructure has been implemented in many Australian cities, particularly following the 2019 COVID epidemic and resulting opportunities for changing travel behaviour and use of city space.
- 14.2. The project includes ongoing monitoring and evaluation to inform modifications and improvements to the design as required throughout the life of the project.

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



Ruby Pettit
SENIOR TRANSPORT PLANNER



Daniel Verdouw
MANAGER CITY MOBILITY



Neil Noye
DIRECTOR CITY FUTURES

Date: 21 May 2024
File Reference: F24/30445

Attachment A: Collins Street Draft Concept Plan (Supporting information) 

11. Central Hobart Plan - Implementation Program - Year One
File Ref: F24/21522; 19/79

Report of the Principal Advisor Urban Design and the Director City Futures of 21 May 2024 and attachment.

Delegation: Council

REPORT TITLE: CENTRAL HOBART PLAN - IMPLEMENTATION PROGRAM - YEAR ONE**REPORT PROVIDED BY:** Principal Advisor Urban Design
Director City Futures**1. Report Summary**

- 1.1. The Central Hobart Plan (CHP) was endorsed by the Council at the Council Meeting dated Monday 25 September 2023, with Council also resolving that:
 - 1.1.1. *“An implementation plan be developed by March 2024 to document actions and monitor progress of the implementation of the Central Hobart Plan and progress be reported to the Council on an annual basis”.*
- 1.2. The purpose of this report is to provide the Council with the *Central Hobart Plan Implementation Program year one* report (shown at Attachment A) for consideration and endorsement.
- 1.3. Furthermore, the CHP Implementation Program report, provides the City of Hobart the opportunity to inform and engage with key stakeholders (e.g. the Tasmanian Government, landowners, businesses and the wider community) who live, work and enjoy Central Hobart.

2. Key Issues

- 2.1. The three main considerations that have informed the development of the *CHP Implementation Program year one* report are:
 - 2.1.1. The complexity and long-term nature of the CHP means that there are 129 actions (if the City Shaping Framework, Precincts and Urban Design Framework actions are counted). This has meant that for the implementation program to be understandable and feasible in its delivery, all the actions were reviewed. This determined the immediate priority actions contained that City of Hobart will focus on over the coming year, that will flow into the medium and long-term actions.
 - 2.1.2. The realisation of the CHP will need strong and ongoing partnerships in years to come with the Tasmanian Government, property owners, developers, businesses, institutions, community groups, etc. Some of these partnerships are noted in the Implementation Program, with this work being an important focus area in the future.
 - 2.1.3. Finally, to deliver a more compact capital city centre that is liveable, vibrant, creative and innovative will require ongoing investment in infrastructure. The infrastructure requirements will be varied covering matters such as open space, new laneway

links, stormwater, the management and improvement of the Hobart Rivulet, public transport improvements, etc. These will require funding that is beyond the usual level that is committed by the City of Hobart, meaning that additional funding mechanisms will need to be explored, some of which are noted in the attached report (attachment A).

3. Recommendation

That:

- 1. The Council endorse the Central Hobart Plan Implementation Program year one report, marked as Attachment A.**
- 2. The Council note the public release and sharing of the report to facilitate the communication and delivery of the priority actions.**

4. Background

4.1. The Central Hobart Plan (CHP) is the result of the partnership work between the City of Hobart and the Tasmanian Government with the community. It is a comprehensive plan to guide the future development of the city's central 64 blocks over the next 20 years in a way that will strengthen what's great about Hobart, what makes the city liveable and distinctive.

4.2. The CHP, after four years of development and extensive community engagement, was adopted at the Monday 25 September 2023 Council meeting. The Council also resolved that:

“An implementation plan be developed by March 2024 to document actions and monitor progress of the implementation of the Central Hobart Plan and progress be reported to the Council on an annual basis”.

4.2.1. The attached report is for year one, from mid-2024 to mid-2025.

4.3. After an extensive review of the actions (129 in total), with relevant City business units, it was identified that a significant number need to be delivered through existing and proposed strategies and programs. As a result, implementation resources and efforts are concentrated on the actions that are unique to and/or offer the greatest benefits to Central Hobart.

4.3.1. Therefore, the *CHP Implementation Program year one* report focuses on six priority actions that will be undertaken over the coming year, until mid-2025, and will inform the work in the

following two years. The priority actions will unlock the medium to long term actions.

- 4.3.2. Priority actions are those that most directly and effectively deliver on the CHP's five City Shaping Goals, and act as catalysts for an even more liveable and desirable place to live, work, recreate and invest.
- 4.4. A Workshop for elected members occurred Wednesday 20 March. This was an opportunity to discuss the six priority actions and the approach to help deliver these.
 - 4.4.1. An emphasis was placed on the desire to understand and potentially address any development constraints that are limiting housing through early conversations with the development industry.
 - 4.4.2. The input provided has helped refine the *CHP Implementation Program year one* report.
- 4.5. In late April the City of Hobart submitted an application to the Australian Government's [Housing Support Program Stream 1](#). If successful it will accelerate the delivery of development ready Innovation Precinct project and planning instruments focussed on housing.
 - 4.5.1. For the CHP it will facilitate the delivery of a development ready vibrant mixed use Innovation Precinct, with housing for key workers one of the priorities. Critically this needs to be done in partnership with property owners, housing providers, and the State Government to maximise the intended outcomes.
 - 4.5.2. If the City of Hobart is successful it will effectively accelerate 'Priority Action 1: Development Ready Innovation Precinct Project' (page 12).
- 4.6. Finally, the City of Hobart will undertake to continue to provide annual CHP Implementation Program reports. These will be used to track, review, learn from, adapt and communicate how the City is progressing in:
 - 4.6.1. Delivering on the five City Shaping Goals; and
 - 4.6.2. the proposed built form, open space and mobility outcomes in the Urban Design Framework.

5. Legal, Risk and Legislative Considerations

- 5.1. The CHP is a structure plan, which is a land use strategy document recognised by the State Planning Office.
- 5.2. For the CHP to be effective as an urban planning and urban design strategy it will need to be implemented in the Tasmanian Planning

Scheme – Hobart. This will implement the proposed building form provisions, including the building heights, street walls heights and setbacks.

- 5.2.1. This process will entail planning scheme amendments to the Hobart Local Provision Schedule, with preliminary work to undertaken over the next year.
- 5.3. The main risks associated with the CHP are in relation to its implementation, as noted in Section 2 of this report. In summary, these are:
 - 5.3.1. The actions are too numerous and too complex to be delivered simultaneously. The CHP Implementation Program report addresses this by identifying the priority actions that City of Hobart is to focus on.
 - 5.3.2. Approximately a third of the actions will require effective and ongoing partnerships to be delivered. The CHP Implementation Program starts the process of identifying the key partner for each of the priority actions.
 - 5.3.3. Several of the actions are premised on improving the infrastructure of Central Hobart (e.g. having development in the Innovation Precinct will eventually require new open space for the community), which will have financial implications. The CHP Implementation Program notes the various requirements in the resource section but, more importantly, priority action 'Infrastructure Investment Plan' (page 17 of the attached report) is about identifying the infrastructure requirements and the funding mechanisms to deliver on the CHP.
- 5.4. Ultimately, the City of Hobart needs to maintain trust with its stakeholders (community, business/investors, and other tiers of government) by implementing the CHP in line with the agreed vision, City Shaping and Urban Design Frameworks. Not doing so could result in significant reputational consequences, which may also impact development and investor confidence.

6. Hobart: A Community Vision For Our Island Capital

- 6.1. The CHP will help translate the community's vision for a Hobart that "*breathes. Connections between nature, history, culture, businesses and each other are the heart of our city*" into actionable strategies and future planning amendments.
- 6.2. Furthermore, the CHP is informed by extensive analysis, stakeholder and community engagement to ensure that future growth enhances the City's character, as per the desire contained in the Community Vision "as we grow, we remember what makes this place special".

6.3. The CHP directly addresses Pillar 7. Built Environment in planning for to “enhance the density, scale and character of our city”, “engage on how planning issues affect our city” and are “plan for the future”.

6.3.1. The CHP, due to its significance and wide-ranging nature, will also help deliver on pillars 1, 2, 3, 4 and 5.

7. Capital City Strategic Plan

7.1. While developed in the context of the Capital City Strategic Plan 2019-29, the *CHP Implementation Program year one* report will deliver on the City of Hobart Strategic Plan 2023, specifically:

7.2.1: Develop and advocate for increasing city densification that reflects Hobart’s character, in line with neighbourhood structure planning.

7.2.2: Advocate for systems that leverage development that improves the city's infrastructure, open space and social and community needs

7.2.3. Ensure that social and economic outcomes, accessibility, climate change, biodiversity, sustainability and greening are factored into city design.

7.3.4: Continue the program of city-wide improvements in public spaces.

7.3.5: Consider the needs of children and families in all infrastructure design

7.4.1: Advocate for creative and sustainable ways to manage population growth in the built environment.

7.4.4: Develop neighbourhood structure plans for key areas of the city.

7.4.2: Ensure transport and land use planning are integrated to deliver the best economic, social and environmental outcomes into the future.

8. Regional, State and National Plans and Policies

8.1. The CHP is a structure plan, which is a land use strategy document recognised by the State Planning Office.

8.2. The CHP will help implement the 30 Year Greater Hobart Plan developed by the Tasmanian Government in collaboration with the local government areas of Greater Hobart, including the City of Hobart.

8.2.1. In particular the Innovation Precinct will assist in delivering the 70% infill target contained in the 30 Year Greater Hobart Plan.

9. Financial Viability

- 9.1. The CHP has an initial implementation budget in the current financial year (2023-2024).
 - 9.1.1. This financial year's budget will be used mostly to commence the 'select block and strategy site analysis', which is one of the sub-actions within priority action 'Building Height and Form Planning Controls' in the attached report (see page 14).
 - 9.1.2. There is no further foreseeable financial impact for this financial year.
- 9.2. The CHP implementation will however require ongoing funding throughout the life of the Plan. The resource requirements needed are:
 - 9.2.1. **Dedicated City of Hobart officer time:** this organisational impact will be limited, with the majority of priority actions for the next three years being the responsibility of the City Futures Division.
 - 9.2.2. **Operating budget:** the operating budget request for the 2024-2025 financial year is \$125,000, made up of:
 - 9.2.2.1. \$30,000 – 'Select block and strategic site analysis' including built form testing, based on the proposed building envelope controls in the urban design framework to inform future planning scheme amendments.
 - 9.2.2.2. \$30,000 – for those areas identified as prone to overland flow path flooding, lacking in open space, with limited street connections and access, etc.
 - 9.2.2.3. \$40,000 - Financial contributions detailed whitepaper/study with realistic financial implementation mechanisms and contribution solutions for the Hobart context.
 - 9.2.2.4. \$25,000 – To provide technical support in finalising and prosecute formal scheme amendments to the Hobart Local Provisions Schedule.
 - 9.2.3. **Capital budget:** additional capital investment will need to be considered as projects move into a physical phase of delivery (including development and public realm requirements and opportunities). This will need to be evaluated on a yearly basis.
 - 9.2.4. In this context, the City will need to consider additional and/or alternative financial mechanisms to deliver CHP implementation actions, such as development contributions, area levies, State and Federal grants, City Deal funding, etc.

- 9.2.4.1. As indicated earlier the City of Hobart has applied for Australian Government [Housing Support Program Stream 1](#) in late April. If successful part of this funding would help accelerate the delivery of 'Priority Action 1: Innovation Precinct Masterplan.'
- 9.3. In the short term the asset related implications are likely to be minimal, except for those stemming from early development and any public infrastructure contribution provided.
 - 9.3.1. Overtime, dictated by asset renewal requirements, development and project partnership opportunities, the CHP and priority actions such as the 'Street Improvement Plans' (AKA Street Vision Plans), 'Building Height and Form Planning Controls' and 'Guidance for Better Design' (attached report pages 13, 14 and 15) will provide the guidance on how these upgraded and new assets should be design and delivered.
 - 9.3.2. There are also legacy infrastructure requirements and costs that come with new development, such as stormwater upgrades, that will need to be considered.
 - 9.3.3. As a result of these longer-term financial considerations the CHP Implementation Program report has included, as a priority action, 'Infrastructure Investment Plan' (attached report page 17). This action will explore the delivery of a public infrastructure plan and a development contributions plan.
 - 9.3.3.1. Among the financial mechanisms that could be implemented are development contributions, and an area levy, etc. These mechanisms would provide for the equitable distribution of costs among the stakeholders that are to benefit from an uplift in value and activity in Central Hobart.

10. Sustainability Considerations

- 10.1. At a fundamental level the CHP will help deliver on the 70% infill target set out in the 30 Year Greater Hobart Plan. A compact city significantly decreases the need for additional infrastructure and the need for travel, both of which are sources of greenhouse emissions.
- 10.2. Furthermore, the emphasis on active travel will make it easier to reduce emissions in relation to transport, which is Hobart's largest source of greenhouse emissions.
- 10.3. Finally, the CHP is seeking for buildings that are designed to be environmentally sustainable and provide building setbacks that allow for solar access and natural ventilation in the City Centre.

11. Community Engagement

- 11.1. The CHP Implementation Program year one report is the means to inform the community of the ongoing delivery of the CHP, which itself was extensively consulted on over three stages and four years.
- 11.2. The attached report will be publicly shared after the March Council Meeting on <https://yoursay.hobartcity.com.au/central-hobart-plan> and the City of Hobart website <https://www.hobartcity.com.au/Projects/City-shaping-projects/Central-Hobart-Plan>
- 11.3. Some preliminary conversations with key landholders were undertaken during and post development of the CHP. This provided a better understanding of potential future plans for key and large sites in Central Hobart.
- 11.4. It is noted that a preliminary conversation on the priority actions was held with the CHP Steering Committee on 22 February 2024.
 - 11.4.1. The Steering Committee comprises senior and executive representatives from the Department of State Growth, Homes Tasmania, State Planning Office and the City of Hobart CEO and the Director City Futures.

12. Communications Strategy

- 12.1. The CHP has been engaged and communicated extensively over the past four years. One of the key aspects of this ongoing communication has been the actions contained in the CHP and initial approach of how these will be delivered, partnered and/or advocated for by the City of Hobart.
- 12.2. The Implementation Program year one report is the next logical step. This report will be used as a basis for ongoing meetings and discussions with our implementation partners and shared with the wider community on <https://yoursay.hobartcity.com.au/central-hobart-plan> and the City of Hobart website <https://www.hobartcity.com.au/Projects/City-shaping-projects/Central-Hobart-Plan>

13. Innovation and Continuous Improvement

- 13.1. The CHP seeks to introduce development certainty in the City Centre through the proposed maximum building heights, buildings street walls and the setbacks. This being the first time that such certainty will be offered.
- 13.2. It also provides clearer guidance on how development can contribute to the improvement of the City Centre through open space, laneway connections, better building design, etc.

- 13.3. It has also become the model for the neighbourhood plans currently underway for North Hobart, Mount Nelson / Sandy Bay and the Inner North-East.
- 13.4. In addition, the CHP Implementation Program annual reporting methodology may become the model on how to summarise, track and communicate complex strategic projects such as structure plans.

14. Collaboration

- 14.1. The CHP presents the collective effort of many City staff members, consultants, the State Government, and the community. As such it is a document that represents the aspirations the City's community for the future of our city centre.
- 14.2. Similarly, the CHP Implementation Program is the result of the collaborative work of several City officers across various business units.
- 14.3. Furthermore, the review of the actions (as part of the development of the *CHP Implementation Program year one* report) involved extensive conversations and detailed checking with other business units. This helped ascertain their relevance, relationship with other work undertaken by these units, their timeline and other considerations that would influence their delivery.
- 14.4. Ultimately any implementation of the plan must involve early engagement and collaboration with property owners, housing providers and State Government to ensure the objectives are achievable in the timeframes specified.

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



Jaime Parsons
PRINCIPAL ADVISOR URBAN DESIGN



Neil Noye
DIRECTOR CITY FUTURES

Date: 21 May 2024
File Reference: F24/21522; 19/79

Attachment A: CHP Implementation Program report year one (Supporting information) 

12. Stormwater Management Policy for Development
File Ref: F24/32092

Report of the Acting Manager Waterways and the Acting Director City Life of 22 May 2024 and attachment.

Delegation: Council

REPORT TITLE: STORMWATER MANAGEMENT POLICY FOR DEVELOPMENT**REPORT PROVIDED BY:** Acting Manager Waterways
Acting Director City Life**1. Report Summary**

- 1.1. The incoming Tasmanian Planning Scheme (**TPS**) does not include provisions for the Council to assess stormwater management (disposal, treatment and detention) on private land. To ensure stormwater is effectively managed, a policy has been developed. It is intended that this policy would be assessed in parallel to existing development processes.
- 1.2. The proposed policy, the “Stormwater Management Policy for Development”, is at **Attachment A** to this report, for consideration and endorsement by the Council.

2. Key Issues

- 2.1. Provision of a public stormwater system is an essential service the Council provides for the community. Private property owners are required to manage stormwater on their land. Stormwater management must be well considered during initial planning phases of a development to enable successful outcomes for both the developer and the community.
- 2.2. The TPS will not contain specific provisions requiring developments to connect to the Council stormwater system, nor will it include provisions to assess changes to stormwater quality or quantity arising from development, or sufficiently address the protection of public infrastructure.
- 2.3. A policy has been development to provide a consistent, open and transparent way to assess development with regards to stormwater management and impacts through the development assessment stage.
- 2.4. A number of councils already have a similar policy in place and Council officers have received positive feedback from developers about the implementation of those policies. The policy has been drafted to be as consistent as possible with the existing policies, to ensure the development community knows what to expect.
- 2.5. The policy has been drafted based on guidance from the *Tasmanian Stormwater Policy Guidance and Standards for Development* which was prepared by representatives from a number of councils, including the City of Hobart, and is published by the Derwent Estuary Program and the Local Government Association of Tasmania.

- 2.6. The policy relies upon existing legislative powers under the *Urban Drainage Act 2013 (UDA)*.
- 2.7. The TPS will address the risk of properties identified as “flood prone” through C12 Flood-Prone Areas Hazard Code. The purpose of that Code is to ensure that use and development subject to risk from flood is appropriately located and managed, or the Code will operate to preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

3. Recommendation

That the Council endorse the Stormwater Management Policy for Development marked as attachment A to this report.

4. Background

- 4.1. The TPS will not contain specific provisions requiring developments to connect to the Council stormwater system, nor will it include provisions to assess changes to stormwater quality and stormwater quantity arising from development, or sufficiently address the protection of public infrastructure.
- 4.2. In contrast, the Interim Planning Schemes for southern councils (including Hobart) included a Stormwater Management Code, which was used to assess impacts on the Council stormwater system through the assessments of applications for planning permits, and to attach conditions to planning permits to manage stormwater impacts. There is no equivalent code in the State Planning Provisions which will form part of the TPS.
- 4.3. The TPS will include Clause 6.11.2, which is a broad head of power to allow conditions to be applied to planning permits regarding erosion and stormwater volume and quality controls. No additional guidance will be provided in the TPS on what these controls are or how changes in stormwater behaviour resulting from new development are to be assessed or conditioned.
- 4.4. Tasmanian local government practitioners have developed the Tasmanian Stormwater Policy Guidance and Standards for Development to provide guidance around these controls and achieve a consistent state-wide approach to managing stormwater under the TPS, and to help improve stormwater management while allowing for sustainable development.
- 4.5. The UDA provides Council with the power to regulate impacts on the Council stormwater system through section 14(1) which requires the General Manager’s consent to connect to or interfere with a public stormwater system. All changes to stormwater behaviour resulting from

development have the potential to impact or interfere with the Council stormwater system and its operation.

5. Legal, Risk and Legislative Considerations

5.1. Section 4 of the UDA states:

“The objects of this Act are –

(a) to protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and

(b) to provide for the safe, environmentally responsible, efficient and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1”.

The policy objectives are to ensure the City meeting these requirements through when governing development.

5.2. This policy will inform and assist the Council when it is assessing applications for development. This policy will not be a relevant consideration under the *Land Use Planning and Approvals Act 1993* and the powers exercised by the Council as planning authority will be separate. Nevertheless, the assessment of the policy will run parallel to that process and be as integrated as is appropriate, to ensure that both processes are aligned for each proposal.

5.3. Section 14(1) of the UDA provides Council with the power to regulate impacts on the Council stormwater system by requiring the General Manager’s consent to connect to or interfere with a public stormwater system.

The UDA states:

“A person must not, without a general manager’s consent, cause or permit –

(a) any works to be connected to a public stormwater system; or

(b) the alteration or removal of, or interference with, a public stormwater system

The policy provides the direction of how council will govern development under this head of power.

5.4. Clause 6.11.2 of the TPS provides the City with a broad head of power to allow conditions to applied to planning permits, Clause 6.11.2 (g) specifically relates to stormwater.

The TPS states:

“Conditions and restrictions imposed by the planning authority on a permit may include: ...

(g) erosion, and stormwater volume and quality controls

Conditions are to be applied to ensure the objectives of the policy are achieved. Ensuring development is well informed of the City’s requirements regarding stormwater considerations.

6. Discussion

- 6.1. In order to ensure stormwater considerations are addressed at early stages of a development a policy has been created to provide a consistent, open and transparent way of how development will be assessed by the Council.
- 6.2. The policy is to be used by council officers, developers and consultants to ensure stormwater runoff impacts to people, property and the environment have been considered.
- 6.3. This policy provides a framework for Council to:
 - 6.3.1. Ensure that buildings, works, subdivisions and stormwater drainage systems generate stormwater of a quality and quantity that enables protection of natural assets, infrastructure, and properties.
 - 6.3.2. Ensure pollutant types and/or loadings are managed appropriately to protect natural values, infrastructure, and properties.
 - 6.3.3. Manage inundation and flood risk to new developments and existing urban areas related to the public stormwater system.
 - 6.3.4. Ensure overland flow paths convey floodwaters within suitable velocity/depth limits and do not pose a risk to human life or properties.
 - 6.3.5. Fulfil the requirements of the relevant policies, strategies, and Acts in relation to stormwater management.
 - 6.3.6. Provide developers and designers with clarity for meeting permit requirements and contributing to best practice stormwater management.
 - 6.3.7. Ensure public stormwater systems can be managed and maintained, without causing an unnecessary burden to the wider community.
- 6.4. The policy provides a means will enable officers to assess stormwater considerations at the same time as planning applications and provide a consistent approach. This will allow developers to better understand the

Councils expectations of stormwater management when addressing planning applications.

7. Capital City Strategic Plan

7.1. The Policy touches on a number strategic pillars of the Capital City Strategic Plan, these are:

- *Outcome 7.3. Infrastructure and services are planned, managed, and maintained to provide for community wellbeing.*

Policy ensures stormwater services are not adversely impacted leading to increased burden to the community. It ensures infrastructure built or impacted meets the levels of service required for stormwater management.

- *Outcome 6.1. The natural environment is part of the city and biodiversity is conserved, secure and flourishing.*

The policy addresses the treatment of stormwater to ensure the receiving environment is protected.

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

8.1.1. No funding is requested to implement this policy.

8.1.2. It is hoped that by providing clear direction to developers about what they can expect in the development process, that this will minimise their costs and shorten assessment timeframes.

8.2. Impact on Future Years' Financial Result

8.2.1. No funding is requested to implement this policy

9. Collaboration

9.1. The policy has been developed under guidance of the *Tasmanian Stormwater Policy Guidance and Standards for Development* document, published in November 2021 by the Derwent Estuary Program with the support of the Local Government Association of Tasmania.

9.2. *Tasmanian Stormwater Policy Guidance and Standards for Development* was developed by working groups where City of Hobart was a key contributor, alongside:

- City of Launceston
- Brighton Council
- Clarence City Council
- Local Government Association of Tasmania

- Tamar Estuary and Esk Rivers Program
- Derwent Estuary Program

9.3. Development of this policy under these guidelines ensures policy is consistent with other councils when developing policies.

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



Jacob Ziesel
ACTING MANAGER WATERWAYS



Karen Abey
ACTING DIRECTOR CITY LIFE

Date: 22 May 2024
File Reference: F24/32092

Attachment A: Stormwater Management Policy for Development (Supporting information) 

13. Quarterly Financial Report - 31 March 2024
File Ref: F24/42366

Report of the Chief Financial Officer and the Director City Enablers of 21 May 2024.

Delegation: Council

REPORT TITLE: QUARTERLY FINANCIAL REPORT - 31 MARCH 2024**REPORT PROVIDED BY:** Chief Financial Officer
Director City Enablers**1. Report Summary**

- 1.1. The full year 2023-24 Budget forecast is a deficit of \$826,000.
- 1.2. A surplus of \$4.1 million was reported as at 31 March 2024. This result reflects a significant adjustment to Depreciation. However, it does not include subsequent adjustment to Asset Write-offs or Bad Debts which occurred after 31 March 2024 and are reflected in the full year forecast.
- 1.3. As at 31 March 2024, the City has spent \$14.7 million, or 41 per cent of the full year budget for capital activities, including plant and equipment. This is an underspend of \$7.7 million when compared to the year-to-date budget.

2. Operating Activities

Category	Year to Date				Full Year			Forecast Full Year Result
	Budget (\$,000)	Actual (\$,000)	Variance (\$,000)	Variance %	Original Budget (\$,000)	Revised (Approved) Budget (\$,000)	Revised (Pending) Budget (\$,000)	
Revenue								
Rates and Charges	109,510	108,958	(551)	(0.5)	109,701	109,701	0	109,451
Fire Levy Commission	285	285	0	0.0	569	569	0	569
Fines	6,240	5,160	(1,080)	(17.3)	8,320	8,320	0	6,800
Fees and Charges - Car Parks	10,171	10,346	174	1.7	13,562	13,562	0	13,562
Fees and Charges - On Street Parking	5,771	5,620	(151)	(2.6)	7,694	7,694	0	7,694
Other Fees and Charges	11,592	12,910	1,318	11.4	15,672	15,514	(42)	16,773
Operating Grants	1,426	1,795	370	25.9	4,343	4,837	(76)	4,762
Interest	1,243	1,928	686	55.2	1,657	1,657	0	3,257
Rents	2,536	2,891	355	14.0	3,419	3,419	0	3,419
Tas Water Distributions	1,086	1,086	0	0.0	2,606	2,606	0	2,606
Total Revenue	149,859	150,980	1,120	0.7	167,545	167,881	(117)	168,894
Expenditure								
Labour	56,278	54,299	1,978	3.5	73,073	73,216	181	70,589
Materials and Services	26,472	25,482	990	3.7	34,414	34,992	(281)	33,976
Energy Costs	1,842	1,615	227	12.3	2,456	2,456	0	2,456
Finance Costs	1,036	808	227	22.0	1,815	1,815	0	1,815
Fire Levy	7,117	7,117	0	0.0	14,234	14,234	0	14,234
Depreciation	26,250	26,250	0	0.0	35,000	35,000	0	35,000
Asset Write-offs	900	1,738	(838)	(93.1)	1,200	1,200	0	5,300
Bad Debts	263	0	263	100.0	351	351	0	1,851
Other Expenses	3,292	3,191	101	3.1	4,500	4,500	0	4,500
Total Expenditure	123,448	120,500	2,948	2.4	167,041	167,762	(100)	169,720
Underlying Result	26,411	30,479	4,069	15.4	504	119	(18)	(826)

3. Year-to-Date Variations

- 3.1. The year-to-date variance has improved from a \$4.8 million deficit reported at 31 December 2023, to a \$4.1 million surplus at 31 March 2024.

- 3.2. The improvement in the variance is the result of the CFO identifying discrepancies in Depreciation expenditure. More detail is provided in the following Section 4 of this report.
- 3.3. The revenue as at 31 March 2024 is higher than budget by \$1.1 million. This is primarily due to:
 - 3.3.1. An improved actual position compared to budget of \$1.3 million in Other Fees and Charges. Included in this amount were timing issues relating to animal registration fees and the Tasmanian Travel and Information Centre advertising fees. Additionally landfill income is tracking favourably against budget.
 - 3.3.2. A \$686,000 favourable variance in Interest, due to higher interest rates compared to originally budgeted amounts.
 - 3.3.3. Partly offset by a \$1.1 unfavourable variance in Fines, relating to parking system outages and mobile response officer availability.
- 3.4. The expenditure as at 31 March 2024 is underspent by \$2.9 million compared to the budget. This is due to:
 - 3.4.1. \$2 million favourable variance in Labour due to the timing of vacancies across the organisation.
 - 3.4.2. \$1 million favourable variance in Materials and Services across Council functions, predominately within contractor accounts.

4. Depreciation

- 4.1. During 2023-24, the CFO identified discrepancies in the Depreciation expenditure.
- 4.2. Wise Lord and Ferguson were engaged to undertake a detailed review of Depreciation.
- 4.3. The significant issues identified in the review include:
 - 4.3.1. The incorrect application of a costing methodology and rate for building revaluations that has resulted in the overstatement of asset values;
 - 4.3.2. The incorrect application of the indexation rate to accumulated depreciation in the asset finance system; and
 - 4.3.3. Written-off assets were regenerated without additional costs allocated to the asset.
- 4.4. The City will meet with the Tasmanian Audit Office to agree the appropriate approach to address and correct the historical depreciation issues.

- 4.5. The adjustment to Depreciation is likely to have a favourable impact on the end of year financial position, however, it is not possible to quantify the amount until the approach is agreed with the Tasmanian Audit Office.

5. Forecast Full Year Result

- 5.1. The full year forecast has improved from a \$2.2 million deficit reported at 31 December 2023, to a \$826,000 deficit at 31 March 2024. The full year forecast update includes the following revised estimates:

- 5.1.1. \$2.6 million surplus in Labour based on the year-to-date savings and the continued projected underspends due to vacancies;
- 5.1.2. \$1.6 million increase in Interest revenue due higher than budgeted interest rates on investments;
- 5.1.3. \$1 million surplus in Materials and Services for contractor expenditure;
- 5.1.4. \$1.5 million reduction in Fines revenue due to parking system outages;
- 5.1.5. \$1.5 million increase estimate in Bad Debts relating to historical parking debts;
- 5.1.6. \$250,000 reduction in Rates and Charges due to a lower estimate in supplementary rates; and
- 5.1.7. \$4.4 million increase in Asset Write-off.

6. Operating Variation Requests

- 6.1. The following amendments to the existing operational budget are proposed:

Category	Amount (\$'000)	Reason
Revenue (Decrease)	(100)	Reduction to The Southern Tasmanian Regional Land Use Strategy (STRLUS) budgeted grant revenue, as the grant payment was received up front and it is not all expected to be used this financial year.
Expenditure (Decrease)	(100)	Reduction to The Southern Tasmanian Regional Land Use Strategy (STRLUS) materials and service budget in line with the decrease to the grant revenue as it is not all expected to be used this financial year.

Expenditure Increase	181	Transfer of budget from Materials and Services to Labour to ensure critical roles across the organisation are funded.
Category	Amount (\$'000)	Reason
Expenditure (Decrease)	(181)	Reduction in Materials and Services to Labour to ensure critical roles across the organisation are funded.
Revenue Increase	24	A transfer from Other Fees and Charges to Operating Grants for the Learn to Swim Grant.
Revenue (Decrease)	(24)	A transfer from Other Fees and Charges to Operating Grants for the Learn to Swim Grant.
Revenue (Decrease)	(18)	A reduction in Other Fees and Charges relating to the Department of Education, Children and Young People for lane hire at the Doone Kennedy Hobart Aquatic Centre.

7. Capital Works Activities

Capital Category	Year to Date				Original Budget	Full Year	
	Budget	Expenditure	Variance	Variance		Revised (Approved) Budget	Revised (Pending) Budget
	\$'000	\$'000	\$'000	%	\$'000	\$'000	\$'000
New Assets	4,874	3,575	1,299	26.7	11,968	12,042	4
Renewal Assets	10,793	7,566	3,227	29.9	13,539	14,321	251
Upgrade Assets	3,381	1,791	1,590	47.0	4,951	4,780	15
Expensed	180	69	111	61.4	257	257	0
Plant and Equipment	3214	1723	1,491	46.4	4,285	4,285	0
Total	22,442	14,724	7,718	34.4	35,000	35,685	270

- 7.1. As at 31 March 2024, the Capital Works Program was \$7.7 million underspent compared to the year-to-date budget.
- 7.2. At the end of the March 2024 quarter, 41.3 per cent of the total Full Year Revised Budget has been spent.

8. Capital Works Variations Requests

8.1. The following amendments to the existing capital budget are proposed as follows:

Category	Amount (\$'000)	Transfer From	Transfer To
Capital Expenditure Increase	270		J001941 - Creek Road - No. 101 to Maria – Overlay - \$269,834
Capital Revenue Increase (Other Contributions)	270		J001941 - Creek Road - No. 101 to Maria – Overlay - \$269,834
Category	Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$11,516	J002362- Parks - Pavements 2023-24 - \$11,516
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$4,238	J001164 - Argyle and Campbell Bicycle Facilities - \$4,238
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J002400- Queens Domain Parking Voucher Machines - Update to 4G- \$15,000
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$47,500	J001307- Zig Zag Track Renewal (Stage 3)- \$47,500
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$12,901	J002360- Parks - Fences, Walls and Edges 2023-24- \$12,901
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J002411- DAC Synthetic Track - Emergency Repairs- \$15,000

Capital Transfer	0	J001718- Tower Road Bridge Guardrail- \$15,000	J002287-Program Contingency 2023-24 - \$19,000
Capital Transfer	0	J002288- Fire Trail Upgrade and Renewal 2023-24- \$13,000	J002264- Nicholas Fire Trail- \$13,000
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$8,500	J002105- Domain BBQ Replacement- \$8,500
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J001898- Council Centre - Lift Number 1 and 2 Renewal- \$15,000

9. Loans and investments

9.1. As at 31 March 2024, the City had:

9.1.1. Seven loans with an outstanding balance of \$43.5 million:

Lender	Loan Amount	Loan Date	Term	Maturity Date	Interest Rate	Balance
	\$,000				%	\$,000
Tascorp	2,375	30/06/2014	10	30/06/2024	4.56	146
Tascorp	15,000	30/06/2021	3	30/06/2024	1.09	2,534
Tascorp	5,000	24/08/2021	3	24/08/2024	0.93	843
National	10,000	29/06/2018	15	30/06/2033	4.02	6,997
Tascorp	20,000	18/01/2019	15	18/01/2034	3.59	14,479
National	20,000	9/04/2020	15	27/03/2035	2.45	15,433
C'wealth Bank	4,800	30/06/2006	30	30/06/2036	6.41	3,083
Totals	77,175					43,515

9.2. 17 current term deposit investments, with the total invested being \$55 million:

Description	Amount	Interest Rate	Date Lodged	Maturity Date	Interest Paid on Maturity
	\$'000	%			\$'000
Term Deposit Accounts					
Auswide	3,000	4.90	2/11/2023	30/04/2024	72
Australian Military Bank	3,000	5.25	4/12/2023	4/06/2024	79
Hume Bank	3,000	5.00	12/03/2024	11/06/2024	37
Regional Australia Bank	3,000	5.23	19/12/2023	18/06/2024	78
Heritage Bank	3,000	5.75	6/07/2023	8/07/2024	174
Police Bank	3,000	5.10	9/01/2024	8/07/2024	76
Great Southern Bank	3,000	5.36	8/08/2023	6/08/2024	160
Bank of Queensland	3,000	5.00	29/08/2023	27/08/2024	150
Gateway Bank	3,000	4.90	30/08/2023	27/08/2024	146
Bank of Australia	3,000	5.15	5/09/2023	3/09/2024	154
Bendigo & Adelaide	3,000	5.05	3/01/2024	1/10/2024	113
MyState	3,000	4.80	26/02/2024	26/11/2024	108
Australian Unity Bank	3,000	5.50	4/12/2023	3/12/2024	165
Beyond Bank Australia	3,000	5.40	12/12/2023	11/12/2024	162
BankVic	3,000	5.10	27/02/2024	25/02/2025	153
P&N Bank	3,000	5.05	27/02/2024	25/02/2025	151
Suncorp	7,000	5.12	4/03/2024	4/03/2025	358
Total Term Deposit Accounts	55,000				2,336

9.3. \$11.4 million in cash, in addition to the investments. The total includes \$1.8 million in the Heritage Account.

10. Recommendation

That the Council:

1. ***Note the Quarterly Financial Report – 31 March 2024; and***
2. ***Approves the following proposed Operational and Capital Works variation requests to update the City's 2023-24 Budget Estimates:***

Operational Variations:

Category	Amount (\$'000)	Reason
Revenue (Decrease)	(100)	Reduction to The Southern Tasmanian Regional Land Use Strategy (STRLUS) budgeted grant revenue, as the grant payment was received up front and it is not all expected to be used this financial year.
Expenditure (Decrease)	(100)	Reduction to The Southern Tasmanian Regional Land Use Strategy (STRLUS) materials and service budget in line with the decrease to the grant revenue as it is not all expected to be used this financial year.
Expenditure Increase	181	Transfer of budget from Materials and Services to Labour to ensure critical roles across the organisation are funded.
Expenditure (Decrease)	(181)	Reduction in Materials and Services to Labour to ensure critical roles across the organisation are funded.
Revenue Increase	24	A transfer from Other Fees and Charges to Operating Grants for the Learn to Swim Grant.
Revenue (Decrease)	(24)	A transfer from Other Fees and Charges to Operating Grants for the Learn to Swim Grant.
Revenue (Decrease)	(18)	A reduction in Other Fees and Charges relating to the Department of Education, Children and Young People for lane hire at the Doone Kennedy Hobart Aquatic Centre.

Capital Works Variations:

Category	Amount (\$'000)	Transfer From	Transfer To
Capital Expenditure Increase	270		J001941 - Creek Road - No. 101 to Maria – Overlay - \$269,834
Capital Revenue Increase (Other Contributions)	270		J001941 - Creek Road - No. 101 to Maria – Overlay - \$269,834
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$11,516	J002362- Parks - Pavements 2023-24 - \$11,516
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$4,238	J001164 - Argyle and Campbell Bicycle Facilities - \$4,238
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J002400- Queens Domain Parking Voucher Machines - Update to 4G- \$15,000
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$47,500	J001307- Zig Zag Track Renewal (Stage 3)- \$47,500
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$12,901	J002360- Parks - Fences, Walls and Edges 2023-24- \$12,901
Capital Transfer	0	J001718- Tower Road Bridge Guardrail- \$15,000	J002287-Program Contingency 2023-24 - \$19,000
Capital Transfer	0	J002288- Fire Trail Upgrade and Renewal 2023-24- \$13,000	J002264- Nicholas Fire Trail- \$13,000

Category	Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$8,500	J002105- Domain BBQ Replacement- \$8,500
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J001898- Council Centre - Lift Number 1 and 2 Renewal- \$15,000
Capital Transfer	0	J002287-Program Contingency 2023-24 - \$15,000	J002411- DAC Synthetic Track - Emergency Repairs- \$15,000

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



Michelle Wickham
CHIEF FINANCIAL OFFICER



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 21 May 2024
File Reference: F24/42366

14. 2024-25 Fees and Charges
File Ref: F24/42364

Report of the Chief Financial Officer and the Director City Enablers of 21 May 2024 and attachment.

Delegation: Council

REPORT TITLE: 2024-25 FEES AND CHARGES**REPORT PROVIDED BY:** Chief Financial Officer
Director City Enablers**1. Report Summary**

- 1.1. The purpose of this report is to present the City of Hobart's proposed Fees and Charges for 2024-25 for formal adoption.
- 1.2. Fees and Charges are reviewed annually as a component of the City's annual budget process.

2. Key Issues

- 2.1. This report presents the City's proposed 2024-25 Fees and Charges.
- 2.2. The City commenced an annual review of all fees and charges in March 2024.
- 2.3. The annual review of fees and charges has been undertaken in accordance with Council's Pricing Policy and Guidelines.
- 2.4. Generally, a five per cent increase has been applied across fees and charges, except where the increase is statutory and the price determined by legislation, or there was a specific reason for a change to the existing fee.
- 2.5. Fees and charges for 2024-25 will become effective on 1 July 2024.
- 2.6. Pursuant to the *Local Government Act 1993*, section 206, the fees and charges will be included in the City's fees and charges booklet, which is made available to the community from the City's website and the Customer Service Centre.

3. Recommendation

That the schedule of Fees and Charges, marked as Attachment A to this report, be adopted for 2024-25.

4. Background

- 4.1. The annual review of fees and charges has been undertaken in accordance with Council's Pricing Policy and Guidelines.
- 4.2. The budget process for 2024-25 has include workshops with Elected Members, which included the proposed 2024-25 Fees and Charges.

5. Legal, Risk and Legislative Considerations

- 5.1. Pursuant to the *Local Government Act 1993*, section 206, the fees and charges will be included in the City's fees and charges booklet, which is made available to the community from the City's website and the Customer Service Centre.

6. Discussion

- 6.1. The City commenced an annual review of all fees and charges in March 2024.
- 6.2. Generally, a five per cent increase has been applied across fees and charges, except where the increase is statutory and the price determined by legislation, or there was a specific reason for a change to the existing fee.
- 6.3. The proposed 2024-25 Fees and Charges will inform the 2024-25 Budget Estimates.
- 6.4. Fees and charges for 2024-25 will become effective on 1 July 2024.

7. Hobart: A Community Vision For Our Island Capital

- 7.1. How we engage in Civic Life is applicable in considering this report. Particularly, that we feel collective ownership of and responsibility for our city.

8. Capital City Strategic Plan

- 8.1. Pillar 8 – Governance and Civic Involvement.
 - 8.1.1. Hobart is a city that is well governed that recognises the community as an active partner that informs decision.
 - 8.1.2. Hobart is a city that delivers public value and excellence by being a financially responsible, high performing and accountable organisation that is responsive to the needs of the community.

9. Regional, State and National Plans and Policies

- 9.1. NA

10. Financial Viability

10.1. Funding Source and Impact on Current Year Operating Result

10.1.1. NA

10.2. Impact on Future Years' Financial Result

10.2.1. The 2024-25 Budget Estimates will reflect the proposed 2024-25 Fees and Charges.

10.3. Asset Related Implications

10.3.1. NA

11. Sustainability Considerations

11.1. NA

12. Community Engagement

12.1. The 2024-25 Fees and Charges will be communicated through the City's fees and charges booklet, available on the City's website and at the Customer Service Centre.

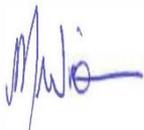
13. Communications Strategy

13.1. NA

14. Innovation and Continuous Improvement

14.1. A review to simplify the number of fees and charges will be undertaken during 2024-25.

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



Michelle Wickham
CHIEF FINANCIAL OFFICER



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 21 May 2024
File Reference: F24/42364

Attachment A:  Proposed 2024-25 Fees and Charges (Supporting information)

15. Procurement - Quotation Exemption Report
File Ref: F24/39482

Report of the Manager Rates, Procurement and Risk and the Director City Enablers of 9 May 2024 and attachment.

Delegation: Council

REPORT TITLE: PROCUREMENT - QUOTATION EXEMPTION REPORT

REPORT PROVIDED BY: Manager Rates, Procurement and Risk
Director City Enablers

1. Report Summary

- 1.1. The purpose of this report is to provide a listing of exemptions from the requirement to seek three written quotations granted for the period 1 January to 31 March 2024 for the information of Elected Members.
- 1.2. The community benefit is providing transparency and delivering best value for money through strategic procurement decision-making.

2. Key Issues

- 2.1. It is a legislative requirement that Council establishes and maintains procedures for reporting by the Chief Executive Officer to Council in relation to the purchase of goods, services or works where a public tender or quotation process is not used.
- 2.2. At its meeting on 19 March 2018, the Council resolved that a report of exemptions granted from the requirement to seek three written quotes be presented quarterly as at 31 March, 30 June, 30 September and 31 December each year.
- 2.3. A report is attached for the period 1 January to 31 March 2024.
- 2.4. It is proposed that the Committee note the exemptions from the requirement to seek three written quotes granted for the period 1 January to 31 March 2024.

3. Recommendation

That the Council note the exemptions granted from the requirement to seek three written quotations for the period 1 January to 31 March 2024, marked as Attachment A to this report.

4. Background

- 4.1. At its meeting on 19 March 2018, the Council resolved inter alia that:
 - 4.1.1. *A report of exemptions granted from the requirement to seek 3 written quotes be presented to the Finance and Governance Committee as at 31 March, 30 June, 30 September and 31 December each year.*
- 4.2. A report outlining the quotation exemptions from the requirement to seek three written quotes granted during the period 1 January to 31 March 2024 is attached – **refer Attachment A.**
- 4.3. As outlined in the City's Code for Tenders and Contracts (the Code) where a Council Contract does not exist the City will seek a minimum of three written quotes for procurements between \$50,000 and \$249,999.
- 4.4. There may be occasions where, for a number of reasons, quotation(s) cannot be obtained / sought from the market or where doing so would have no additional benefit to the City or the market.
- 4.5. Therefore, exemptions from the requirement to seek written quotes can be sought from the Divisional Director but only if an acceptable reason exists as outlined in the Code, as follows:
 - (a) where, in response to a prior notice, invitation to participate or invitation to quote:
 - no quotations were submitted; or
 - no quotations were submitted that conform to the essential requirements in the documentation;
 - (b) where the goods, services or works can be supplied only by a particular supplier and no reasonable alternative or substitute goods, services or works exist e.g. a sole supplier situation exists;
 - (c) for additional deliveries of goods, services or works by the original supplier that are intended either as replacement parts, extensions or continuing services;
 - (d) where there is an emergency and insufficient time to seek quotes for goods, services or works required in that emergency;
 - (e) for purchases made under exceptional circumstances, deemed reasonable by the responsible Director;
 - (f) where a quotation was received within the last 3 months for the same goods, services or works (e.g. a recent value for money comparison was made);
 - (g) for purchases made under exceptionally advantageous conditions that only arise in the very short term, such as from unusual disposals, liquidation, bankruptcy or receivership and not for routine purchases from regular suppliers; or

(h) for a joint purchase of goods or services purchased with funds contributed by multiple entities, where Council is one of those entities and does not have express control of the purchasing decision.

4.6. For the period 1 January to 31 March 2024 there were three exemptions granted, where expenditure was between \$50,000 and \$249,999 and therefore three written quotations were required to be sought in line with the Code.

4.7. Two exemptions were granted on the grounds that the services were additional services by the original supplier intended as extensions or continuing services and one exemption was granted on the grounds that there were exceptional circumstances deemed reasonable by the Director.

5. Legal, Risk and Legislative Considerations

5.1. Regulation 28 of the *Local Government (General) Regulations 2015* states that the Council's Code for Tenders and Contracts must *(j) establish and maintain procedures for reporting by the general manager to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used.*

6. Discussion

6.1. It is proposed that the Council note the exemptions granted from the requirement to seek three written quotes for the period 1 January to 31 March 2024.

6.2. As outlined in the Code, quotation exemptions for a value under \$50,000, that is where 1 or 2 written quotations are required to be sought but an exemption from that requirement has been granted by the relevant Divisional Director, have been reported to the Chief Executive Officer.

6.3. All approvals for the exemptions from the requirement to Tender are sought and reported through the formal Council approval processes.

7. Capital City Strategic Plan

7.1. The City's Code for Tenders and Contracts is referenced in this report as it provides a framework for best practice procurement and sets out how the City will meet its legislative obligations in respect to procurement, tendering and contracting.

7.2. This report is consistent with strategy 8.2.6 in the City of Hobart Capital City Strategic Plan 2023, being:

7.2.1. Delivery high quality and timely procurement to support the delivery of programs, projects and services while achieving value for money.

8. Financial Viability

8.1. Funding Source and Impact on Current Year Operating Result

- 8.1.1. All expenditure noted in the attached listing of quotation exemptions granted was funded from the 2023-24 budget estimates.

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



Lara MacDonell
**MANAGER RATES, PROCUREMENT
AND RISK**



Michael Reynolds
DIRECTOR CITY ENABLERS

Date: 9 May 2024
File Reference: F24/39482

Attachment A: Report - Quotation Exemptions Granted (3 Quotes) 1 January to 31 March 2024 (Supporting information) 

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015****16. Menopause**
File Ref: F24/24344; 16/119

Deputy Lord Mayor Councillor Sherlock

Motion

“That Council:

1. Sign a Menopause Workplace Pledge; and
2. Request the CEO to:
 - (a) undertake steps to possibly nominate a dedicated Menopause Champion amongst the staff, so the City of Hobart can be a Menopause Friendly Employer;
 - (b) facilitate regular support and advice sessions on peri-menopause and menopause that can be accessed by both staff and Councillors/Alderman; and
 - (c) work with health care providers to facilitate improved access to information and advice on peri-menopause and menopause in the community”

Rationale:

“Recently the Lord Mayor noted that "At the City of Hobart, we are committed to fostering an inclusive environment where women thrive. With 41% of our workforce comprising women, including those in non-traditional roles, we are proud of the progress we've made in promoting gender equality. Our city is privileged to have women in prominent leadership positions, including myself as Lord Mayor and Cr Helen Burnet as Deputy Lord Mayor, alongside many others in senior management and director roles.¹

The current Australian Government has supported a motion for a Senate inquiry into the effects of menopause.²

The inquiry appears to encompass both perimenopause and menopause. ‘People experiencing physically and mentally debilitating menopause and perimenopause symptoms have for too long been forced to suffer in silence,’ says Senator Larissa Waters, who is the Greens leader in the Senate and the spokesperson for women.³

New South Wales has also launched a Perimenopause and Menopause Toolkit. 'A free resource, which is designed to address the issues that women face by raising awareness in culturally and linguistically diverse communities. This toolkit is part of a \$37.3 million, four-year campaign designed to support people experiencing severe symptoms of menopause.'⁴

In the UK, the Borough Council of King's Lynn and West Norfolk⁵ recognised that peri-menopause and menopause and the 'wide ranging symptoms involved can be a difficult time for women, [leading] to a loss of confidence which may then lead to women leaving the workforce. The Borough Council of King's Lynn and West Norfolk also proposed a similar motion, which was aimed at fully supporting both staff and councillors experiencing menopause and wished to be a Menopause Friendly Employer.'⁶

¹ <https://www.miragenews.com/hobart-city-dress-for-success-join-forces-to-1187385/#:~:text=%22At%20the%20City%20of%20Hobart,made%20in%20promoting%20gender%20equality.>

² https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=chamber/hansards/27136/&sid=0167

³ <https://globalwomen.org.nz/inclusive-cultures/australia-menopause-policy/>

⁴ Ibid.

⁵ <https://democracy.west-norfolk.gov.uk/mgAi.aspx?ID=33184>

⁶ <https://democracy.west-norfolk.gov.uk/mgAi.aspx?ID=33184>

Administration Response to Notice of Motion

Discussion

Recent research from the McKinsey Health Institute and World Economic Forum notes the disparities in mental health support for women in the workplace, especially those from marginalised backgrounds. Workplace challenges due to menopausal symptoms and other women's health issues and the inability to openly address them, impacts productivity, employee engagement and presenteeism.

Addressing these issues requires a holistic approach that integrates hormonal and mental health considerations into workplace wellness programs.

Current global precedents indicate that at potentially little cost to the organisation, employers who are the forefront of best practise in gender equality and wellbeing in the workplace reap the benefits of increased productivity, retention, loyalty, and employee engagement as well as fostering a culture of inclusivity, trust and empowerment.

It is recommended that:

- This proposal forms part of a broader, integrated Wellness Program that is administered by People and Culture through the Diversity, Equity and Inclusion framework that is currently being developed.
- This proposal also encompasses other wellness initiatives including menstrual, post-partum depression, healthy ageing, mindful movement for energy, physical relief and sleep, meditation and relaxation activities.
- These programs can be delivered through interactive workshops, webinars, building Leader and First Aider wellness capability to provide support and have sensitive conversations, resources, templates and articles that can be disseminated to employees and Elected Members through a range of communication channels.
- Practical support includes promoting flexible work arrangements, providing extended employee assistance (EAP) support, making reasonable adjustments to a work environment or work practises.
- These program initiatives can be promoted through the talent acquisition page on the City's Internet page to promote women's wellness and inclusivity as an attraction and retention initiative.
- People and Culture develop and promote gender equity awareness and inclusive policies as part of the DEI framework.

In terms of community, it is recommended that a focus be applied to drawing greater attention to pre-existing programs through organisations like Women's Health Tasmania. Based in North Hobart they provide a free/low-cost community service dedicated to women's health. This organisation provides programs, support and expert advice to women on a whole range of health issues including menopause and perimenopause.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 2 – Community inclusion, participation and belonging.
Outcome: 2.3 – Hobart Communities are active, have good health and wellbeing and are engaged in lifelong learning.

Strategy: 2.3.1 Provide diverse activities and programs that reduce social isolation and build social cohesion and improve health and wellbeing
2.3.7 Consider mental, physical, and social health and wellbeing in the development of strategies, policies, projects and initiatives

Legislation and Policy

Legislation: Not Applicable
Policy: Inclusion and Wellbeing

Financial Implications

1. Any proposed programs will require a cost analysis to determine whether it can be funded with in existing resources.

17. Support for updating the Local Government Act 1993 and Code of Conduct
File Ref: F24/45902

Councillor Elliot

Motion

“That the Council supports the Lord Mayor to write to the Minister for Local Government and Director of Local Government advocating for the *Local Government Act 1993* and Code of Conduct policies and processes to be updated:

- a) to provide Code of Conduct respondents with a reasonable timeframe in which they can lodge a review of a decision (such as a 30-day appeal period from the date the Determination Report is received)
- b) to ensure that a Determination Report is not to be published on a Council agenda until the appeal period expires (if no review has been lodged) or until the review of the decision has been resolved (if a review of the decision has been accepted)
- c) to ensure that any sanction resulting from the Determination Report is not implemented until the Determination Report has been published on a Council agenda
- d) to ensure that any Determination Report and associated sanction is to be treated with the utmost confidentiality until the Determination Report is published on a Council agenda.”

Rationale:

“Recent events have shown that the *Local Government Act 1993* and policies and processes associated with Code of Conduct determinations and have major deficiencies in relation to Code of Conduct Determination Reports and their associated sanctions and appeal rights.

On 22 January 2024, Cr Elliot was notified that she was suspended with immediate effect for one month. On 24 January an appeal of the decision was lodged with the Magistrates Court, and soon after an application to have the suspension stayed was lodged and successfully granted. Later, the Determination Report was set aside after the State did not contest that natural justice had not been afforded.

It is critical that all parties are afforded natural justice and that respondents are not unfairly impacted by determinations that are flawed. In Cr Elliot’s situation, she served two weeks of a suspension that was publicly announced by the Council, despite the decision being under review, and from a determination that was later declared null and void.”

Administration Response to Notice of Motion

Discussion:

Officers are generally supportive of the four elements of the motion and have had informal discussions with the Office of Local Government (OLG) following the January 22 Code of Conduct determination that Cr Elliot references.

Regards (a) the January 22 decision, it was highly unusual in that it was both a suspension and handed down with immediate effect following the Determination Report. Ordinarily a Panel Determination doesn't take effect until the Determination Report is published in the agenda of the first council meeting where it's practicable to do so as provided for under section 28ZK(4).

Cr Elliot is correct in her view that regards to her case the Act is presently lacking, and she was denied procedural fairness, as ultimately conceded by the Office of Crown Law and Office of Local Government as part of her appeal.

Officers may hold a different view had the Panel determined that the suspension didn't commence until after the publication of the agenda and/or the expiry of the appeal window per section 28ZJ(1)(f) and 28ZP.

Another consideration is the nature of the sanction itself. If the Panel had handed down any other form of sanction open to it (per section 28ZI(2)), such as a caution or requirement to attend training then Cr Elliot could have been restored to her original position if either an appeal was upheld, or as occurred, the Crown conceded that the decision was fatally flawed and should be set aside.

As around 50 per cent of the suspension had been served prior to the conclusion to the appeal process, Cr Elliot cannot be fully restored to her previous position regarding reputational damage caused by the Panel's flawed decision.

Regards (b) officers are also generally supportive of the Motion. Section 28ZK(4) requires the CEO to publish the Determination Report on the first ordinary agenda where practicable and is taken as confidential until such time as this occurs (there are offences for unauthorised disclosure). Section 28ZK(4) is overridden by 28ZK(6)(4) if the Determination is the subject of a review.

While supportive of the intent of (b) officers advise caution as to how the existing deficiencies in the Act are addressed to avoid unforeseen consequences such as an increase in appeals of Panel Determinations for the purpose of delaying publication and/or sanction, but this is ultimately an issue for the Office of Local Government.

Regards (c) officers are generally supportive of refining the existing legislative provisions as proposed if it occurs in such a way as to avoid an unintended consequence of vexatious appeals for the purpose of delaying publication/sanction from the Panel.

Regards (d) officers are of the view the Act presently adequately provides for this under section 28ZK, which also has offence provisions for unauthorised disclosure of Panel decisions.

However, in relation to the circumstances surrounding the Panel's January 22 Determination officers agree it was highly unusual that the Determination Report was to be treated as confidential while the associated suspension (as contained within the Report) wasn't confidential. Had the sanction been anything other than a suspension there would have been no reason for Council to comment at all as Cr Elliot would have still been serving in her role while exercising her appeal rights.

Given the sanction was an immediate suspension, officers took external legal advice at the time and sought advice from the Director of Local Government as to what (if anything) Council should say to explain why Cr Elliot was unable to attend council meetings or represent herself as a councillor – either in person or via social media.

The advice confirmed Council's internal advice that the suspension was a statement of fact and therefore not confidential but that the reasons for the suspension (as contained in the Determination Report) were confidential per section 28ZK.

While sympathetic to Cr Elliot's concerns Council had no choice but to make a statement confirming the suspension (having repeatedly advocated for the Minister and/or Review Panel to make a public statement as the suspension was a product of their process, not Council's), both ultimately declined.

A brief public statement of fact was essential to provide for transparency and good governance as ratepayers had a right to know why Cr Elliot wasn't undertaking her role and why also barred from calling herself a councillor. This is a central tenant of open and representative government in addition to a fundamental element of the rule of law. Those foundational principles needed to be balanced carefully against a right to procedural fairness, which includes confidentiality until the process is concluded. Officers remain of the view the advice and associated statement were appropriate but agree the Act appears to be deficient regarding the circumstances pertaining to Cr Elliot's matter.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 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: Code of Conduct Policy

Financial Implications

There are no financial implications other than officer time to draft the letter.

18. Elizabeth Street Mall Information Booth
File Ref: F24/45894

Councillor Elliot

Motion

“That a report be prepared for Council that outlines the options for the future use of the Elizabeth Street Mall Information Booth, including examining the feasibility of the asset being offered for commercial lease.”

Rationale:

“The Information Booth in the Elizabeth Street Mall has been in place for many years but is rarely staffed, which reflects poorly on the City and presents considerable opportunity cost.

Given the Council’s financial situation and good practice more broadly, it is important that all opportunities to maximise revenue and make use of the Council’s assets are examined.

If the Council was to offer the Information Booth location for an alternative use through a commercial lease, this could activate a rarely used asset, deliver a new revenue stream, and provide a reliable presence in a high foot traffic location that can be prone to anti-social behaviour.

The report prepared could consider the potential for the Information Booth to be leased to a long-term tenant and the possibility of the Booth being used on a rolling calendar as a shopfront for local start-up and micro businesses.”

Administration Response to Notice of Motion**Discussion**

The City is currently undertaking a review of activities at the Tasmanian Travel and Information Centre (TTIC) Mall Hub (the Hub). This review follows an operational decision made on 7 February 2024 to pause staffing the Hub in the interest of staff wellbeing. This pause is the result of an incident where staff members were harassed by a number of youths.

This is not the first incident of this nature at this location and the responsible business unit is currently reviewing operations including resourcing implications and infrastructure interdependencies through working with an internal stakeholder group comprising Program Leader Safe City, Principal Work Health & Safety, Design Services and City ICT and Data team teams to

develop a set of recommendations for future activities at the Hub.

The first meeting of the internal stakeholder group is scheduled for Thursday, 23 May 2024. It is anticipated that, in the first instance, the group will deliver a report with a series of recommendations around the Hub to Council ahead of the summer visitor season.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: Pillar 2: Community inclusion, participation and belonging
Outcome: 2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.
Strategy: 2.4.5 Ensure that Hobart is a safe and liveable city by enhancing community and public safety and security, working in partnership with key stakeholders.

Legislation and Policy

Legislation: Not applicable
Policy: Not applicable

Financial Implications

1. It is anticipated that the preparation of a report will have no cost beyond officer time.

19. Breastfeeding is Welcome Everywhere

File Ref: F24/43714; 16/119

Deputy Lord Mayor Sherlock

Motion

“This motion seeks the City of Hobart to:

1. Be part of the *Breastfeeding is Welcome Everywhere* initiative.
2. Take the necessary steps, on Council owned property and community public spaces, to use the resources that promote the *Breastfeeding is Welcome Everywhere* initiative.
3. Pro-actively consider inviting other Hobart City Council stakeholder businesses to be part of the initiative.”

Rationale:

“This is a free program - an initiative of the Australian Breastfeeding Association (ABA) – Australia’s peak breastfeeding organisation. The *Breastfeeding is Welcome Everywhere* program is a local, simple, no-fuss way to contribute broad-scale education and inclusion of breastfeeding women and parents, and therefore to the enhancement of family-friendly, inclusive, welcoming and healthy communities. Venues need only check some simple criteria and register – and be provided with sticker/s, and other resources. The program sparks an opportunity for conversations to educate venue staff about women’s’ right to breastfeed in public - all in a low-key and positive way. This is an easily actionable initiative to foster inclusion and community-mindedness. The display of the program sticker at venue entrances (up to 5 stickers are available per venue) signals to **everyone**, not just mothers and families (who may otherwise experience vulnerability) that mothers and parents are welcome to breastfeed.



This program is one of a range of advocacy initiatives from the ABA designed to include and support women and parents to breastfeed their babies in accordance with their own autonomy and personal wishes/plans. These initiatives support the establishment and maintenance of breastfeeding in accordance with best-practice health guidelines. The *Breastfeeding is*

Welcome Everywhere program is a simple program that enhances family-friendliness in our community and strengthens community ties.

Participation in the *Breastfeeding is Welcome Everywhere* recognition is beneficial to the community in a variety of ways. They include:

- Expanded customer base and loyalty to participating venues. Venues who display the sticker widen their appeal as a family-friendly venue, as mothers and parents recognise the welcoming attitude of the venue to families resulting in greater participation and engagement with local venues and services from earlier in the parental and family phase of life.
- Education of the broader community as to the worth, acceptability and inherent good of breastfeeding.
- Increased wellbeing of our community's breastfeeding mothers and parents. The *Breastfeeding is Welcome Everywhere* program asserts and confirms the rights of mothers to breastfeed as protected in the federal Sex Discrimination Act 1984.

*Why is the **Breastfeeding is Welcome Everywhere** initiative important?*

The relatively few incidents of discrimination or hostility towards breastfeeding in Australian society that occur often gain significant exposure in the media and on social media. This attention to these discriminatory incidents – and debate in reaction to them – may contribute to negative views of breastfeeding in public. However, breastfeeding in public is not a privilege, it is a right.

In Tasmania breastfeeding is a protected attribute. Discrimination or 'prohibited conduct' is illegal on the basis of breastfeeding in the areas of education, employment, provision of goods, facilities and services, clubs, state laws and programs, awards and industrial agreements. 'Prohibited conduct' is any conduct that offends, humiliates, intimidates, insults or ridicules a reasonable person on basis of a protected attribute.

According to the ABA, it is not uncommon for mothers and parents to cease breastfeeding before they planned to, and concerns about "breastfeeding in public" are cited by those who feel limited or vulnerable in their capacity to engage in the community when they perceive or fear their breastfeeding may be viewed as unacceptable. The *Breastfeeding is Welcome Everywhere* program – and the venues who participate in it – increase knowledge of the legal and ethical protection of the right to breastfeed, and of the inclusion of breastfeeding mothers and parents in our community.

Further *Breastfeeding is Welcome Everywhere* program information is available at <https://www.breastfeeding.asn.au/bwe>

Sign-up to the FREE Breastfeeding is Welcome Everywhere recognition with the Australian Breastfeeding Association!

This recognition shines a spotlight on spaces venues and spaces where mums can feel comfortable and confident breastfeeding on the go. From shopping trips to exploring new areas or attending appointments, Breastfeeding is Welcome Everywhere recognises locations offering a safe, welcoming and respectful environment for breastfeeding

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*The Tasmania Project Is high food insecurity the new normal in Tasmania?
Report number: 45 Authors: Dr Katherine Kent, Sandra Murray, Dr Denis Visentin Date: 4 June 2021.*

Administration Response to Notice of Motion

Discussion

The *Breastfeeding is Welcome Everywhere* program is strongly aligned to the Capital City Strategic Plan 2023 as shown below:

- 2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life.
- 2.3.2 Provide and progressively enhance a range of accessible quality places, facilities and infrastructure that support healthy living and where people can enjoy social, education and recreation activities and events.
- 2.3.5 Ensure neighbourhoods, streets and public spaces help all people to be healthy and physically active.
- 2.4.2 Ensure that Hobart is a safe and liveable city by enhancing community wellbeing and public safety and security.
- 4.2.1 Support ways of welcoming people of all backgrounds to participate in Hobart's economy and professional communities.

This proposal is also strongly aligned with Hobart: A City for All – Community Inclusion and Equity Framework

Our natural and built spaces and facilities enable activity and support and enhance our health and wellbeing... Our infrastructure, services and other aspects of our built environment support equal access for all. (Pillars 2.5.3 and 7.3.2)

We believe that everyone has the right to participate fully in Hobart life. Regardless of background, gender, identity or life situation, our community should provide opportunities to connect, share and express one's identity. We should all be able to thrive in Hobart and have the chance to belong.

Officers have identified that stickers and posters can be displayed in the City's publicly accessible buildings, and that we could further recommend and encourage this program to local businesses through the City's Hello Hobart program.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 2 – Community inclusion, participation and belonging.

Outcome: 2.2 Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life.

2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.

Strategy: 2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life

2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion

2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

Legislation and Policy

Legislation: *Anti-Discrimination Act 1998*

Policy: Not applicable

Financial Implications

1. To be determined

20. Virgin Australia and Air New Zealand
File Ref: F24/45431; 13-1-9

Councillor Coats

Motion

“This motion calls upon the Council;

1. To support the proposed tie up between Virgin Australia and Air New Zealand and to make a submission to that effect to the draft determination open for consultation by the ACCC.
2. Advise its regional partners, the Greater Hobart Councils, and the Local Government Association of Tasmania (LGAT) of its position and encourage them to likewise support the draft determination.
3. To issue a media release advising the community of the above.”

Rationale:

We know that the direct link to New Zealand is a benefit to our community and provides for savings on cost, time, convenience, and emissions reduction. As an island state, transport links and the ability to easily get on and off island are critical to our ability to engage with work, leisure, attend events and host family and friends. For Tasmanians, air links are more than just a means to travel from point A to point B, they represent our freedom to explore, to engage with the world and to likewise showcase the best of Tassie to those who arrive here.

It was with great celebration that Hobart welcomed flights directly from New Zealand with an Auckland service being seen pre COVID for the first time in some twenty years.

This service has since seen disruption due to COVID, and then further disruption due to technical difficulties encountered by Air New Zealand with their Pratt & Whitney engine maintenance program.

It is obvious that the service is relatively marginal and with capacity constraints it was one of the routes that was unfortunately chosen for suspension.

For Tasmania it is incredibly welcome to see a proposal for Virgin Australia to be able to market and sell flights operated by Air New Zealand on trans-Tasman routes. This proposed arrangement will mean that Virgin flyers and Velocity members will be more likely to make the journey across the Tasman via an Air New Zealand flight and will make the Hobart to Auckland service more viable and provide a deeper pool of potential flyers to access the service. It potentially opens Hobart as a transit destination for travellers from Perth and Adelaide who need to travel east.

It is a fact that many Tasmanians currently need to travel via the 'hubs' of Melbourne and Sydney to get where they need to go. Encouraging direct services and flights from Tasmania to bespoke destinations allows for savings on cost, time, and emissions. The proposed alliance for trans-Tasman services will, all else being equal, mean that Air New Zealand has an increased chance of filling its plane and justifying its service.

As healthy Hobart chair, I consistently am on the lookout to promote the interests of the community. We have had loneliness raised as a concern. Better and direct links provide for family and friend reunions as well as the ability to travel and help combat the scourge of loneliness.

I note the benefits of the proposed tie up to Hobart and the wider community on business, tourism, leisure, and environmental grounds.

Administration Response to Notice of Motion

Summary

On 17 November 2023, Virgin Australia Airlines Pty Ltd on behalf of itself and its related bodies corporate, Virgin Australia International Airlines Pty Ltd and its related bodies corporate (collectively, Virgin Australia) and Air New Zealand Limited (Air New Zealand) (together, the Applicants) lodged an application for authorisation to authorisation in respect of a unilateral trans-Tasman code share arrangement for a period of five (5) years.

Arrangements include:

- A unilateral codeshare arrangement on a free sale basis on Air New Zealand operated Trans-Tasman services on routes where Virgin Australia does not operate.
- Related arrangements regarding fare rules and conditions, extension of Virgin's loyalty program and access to Air New Zealand international lounge and reciprocal staff travel.
- Joint identification and targeting of corporate and SME customers with discounts and other fare offers.
- Interim authorisation is also sought to allow for planning, discussions and coordination (Interim authorisation granted by ACCC on 1 May 2024 to commence planning and preparation of authorised conduct).
- The request for authorisation is proposed for a period of five (5) years.

Rationale

According to the ACCC, applicants submit that:

- New Zealand is one of Australia's largest international travel markets and a key business and leisure destination.
- Customers value the ability to travel to New Zealand, earn and redeem points, which is seen as part of the corporate traveller need.
- Virgin Australia does not currently have a trans-Tasman offer beyond services to and from Queensland, thus leaving a gap in the network.
- Applicants submit that SME and high frequency travellers provide important revenue for airlines, however given Virgin's identified gap, limitations exist upon Virgin Australia's ability to compete for domestic and international services.
- Proposal will drive additional passenger numbers into trans-Tasman services and improve distribution channels via stronger marketing, loyalty and sales programs.

Economic Benefits

Air New Zealand currently offers three (3) flights per week using narrow body aircraft between Hobart and Auckland (the only carrier to currently do so).

In its interim authorisation of 1 May, 2024, the ACCC considers 'the Proposed Conduct' (i.e. Trans-Tasman code sharing, marketing and fare rules) 'will likely result in public benefit from enhanced products and services', and 'while on balance is likely to result in minimal, if any, public detriment' (ACCC: 2024, pp.29).

The ACCC notes that public benefit falls in to three (3) broad categories:

- Enhanced products and services
- Increased efficiencies to Air New Zealand trans-Tasman operations
- Promotion of competition

From a Tasmanian visitation point of view, one should consider the increase in choice and convenience; improved loyalty programs and access to international lounge for eligible Virgin Australia customers (currently Christchurch only).

The ACCC Draft Determination of 1 May, 2024 does not provide any in-depth detail on the benefits to the Tasmanian market, nor does it examine the relative attraction of the public benefits noted above to customers considering Tasmania as a destination.

However, when considering the relevant benefit to Hobart, it is worth noting the continuing strong Business Events sector and leisure tourist market, and more specifically solid accommodation, inbound flight bookings for 2024/25. The Tasmanian Government is continuing to invest in the promotion and attraction of Business Events and Hobart is well placed with a range of contemporary new conference facilities and excellent pre/post event tour

experiences available to delegates. This potentially bodes well for Hobart in factoring in the importance and attractiveness of expanded loyalty programs and convenience for SME and corporate travellers, as referenced by both Air New Zealand and Virgin Australia.

Moreover, Hobart Airport has recently embarked on a \$130M upgrade to effectively double the size of the existing passenger terminal, increase retail and food and beverage offerings, expanded bagging handling, enhanced security requirements, new lounge facilities and to strengthen the existing runway to accommodate wide body aircraft Code C and Code E aircraft operations. Such works will meet a forecasted increase in passenger capacity of 50% by 2030.

Proposed code share arrangement, combined with expanded airport facilities, may create new opportunities for freight and collaboration in Antarctic supply and science activities between the two Antarctic Gateways of Hobart and Christchurch. The code share arrangements may also facilitate increased connections to Antarctic and science programs, and educational placements.

Public Submissions

The ACCC received 5 public submissions from interested parties, including:

- New Zealand Airports not supportive
- Sydney Airport Corporation not supportive
- Queensland Airports supportive
- Australian Travel Industry Association does not oppose
- Canberra Airport supportive*

**Notes 5 year period would 'limit the incentive for Virgin Australia to enter the Trans-Tasman market and thus supports a period of 3 years'.*

Hobart Airport do not appear to have lodged a submission.

Next Steps

As the formal submission period to the Draft Determination regarding unilateral trans-Tasman code sharing between Virgin Australian and Air New Zealand closed on 8 May 2024, items (1) and (2) of the NoM are no longer possible through the ACCC submission process.

There is however opportunity to publicly support the interim authorisation by the ACCC and (perhaps more importantly) highlight the direct/indirect benefit of the Hobart - Auckland route, including the following:

- 17,000 New Zealanders visited Tasmania in 2023
- These visitors had the highest average spend of any international visitor group
- The Hobart – Auckland route also provides a one-stop connection to key US cities including Los Angeles; San Francisco; Houston; New York and Vancouver in Canada

- With the code sharing arrangement in place, the trans-Tasman route will offer greater appeal to business and conference delegates to Hobart
- Business conferences are worth around \$150M to the Tasmanian economy (Source: BET)

Media

Given Hobart Airport do not appear to have lodged a submission, the City will need to reach out to them prior to submitting any formal commentary.

Any public support should also be negotiated with other key stakeholders. In addition to Hobart Airport, this would include TICT, BET and THA. It is considered that public support may be best presented as joint statement supporting the interim authorisation.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 4 – City economies

Outcome: 4.1 Hobart's economy reflects its unique environment, culture and identity.

Strategy: 4.1.1 Identify and support Hobart's niche industries, which reflect the geography, climate, places or particular skills found in Tasmania.

Outcome: 4.2 People have a range of opportunities to participate in the economic life of the city

Strategy: 4.2.1 Support ways of welcoming people of all backgrounds to participate in Hobart's economy and professional communities.
4.2.3 Increase internship, research and work experience opportunities at the City of Hobart.

Outcome: 4.3 Diverse connections help Hobart's economy, businesses and workers thrive.

Strategy: 4.3.1 Develop and maintain relationships with key institutions and stakeholders in the Hobart economy.

Pillar: 5 – Movement and connectivity

Outcome: 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

Strategy: 5.1.2 Consider social, environmental and economic elements in transport and technology decision-making.

Legislation and Policy

Legislation: Not applicable

Policy: Not applicable

Financial Implications

1. It is anticipated that there are no direct costs beyond officer time in stakeholder liaison and preparation of a statement.

21. Upholding Integrity in Planning Decisions
File Ref: F24/45858

Alderman Bloomfield

Motion

“This motion is in response to recent public commentary surrounding the refusal by the planning committee of a development application in Argyle Street.

That council:

1. Note that recently a highly contentious planning application for a development on Argyle Street was refused by the planning committee.
2. Note that the refusal was a planning decision made after multiple representations received from the community providing evidence against the item, an expert UDAP report critical of the proposal, and finally that the application fell within the discretionary provisions of the planning scheme.
3. Note that Council takes very seriously its role as a statutory planning authority and asks of its elected members to sit as a planning authority, as representatives of their community, and to put aside their personal views and assess applications solely against the provisions and criteria of the planning scheme.
4. Note that while a contentious decision, it was not extraordinary, and at the meeting the professional director of planning indicated to committee members that it is likely a professional planner could be sourced to defend it at tribunal (i.e some experts would support refusal).
5. Note that since this decision there has been consistent, egregious and personal attacks against the elected members on the planning committee, and that such attacks amount to a form of bullying, intimidation and public humiliation.
6. Note that much of the commentary is being conducted by members of the public who are genuinely upset at the outcome of the planning process.
7. Note that some of the commentary has been by public figures and individuals who ought to know better, and that public statements naming and shaming elected members for decisions they make as a planning committee is not appropriate.
8. Write to members of parliament in Tasmania asking for a public statement or apology for the public naming and shaming of elected members acting as a planning authority (example letter with rationale).

9. Issue a media release outlining the above.”

Rationale:

“There was a decision recently made on a development application ‘the Argyle development’ which was highly contentious. In an environment of housing shortages this was a large development containing many abodes and desired by many in the community.

Nevertheless, the development attracted a large number of representations against, and it did not receive a strong endorsement from the UDAP report. The professional planning director at the meeting indicated that a planning professional could be found to support refusal, unlike some other recent refusals by council.

Some aspects of the development fell outside the acceptable criteria under the planning scheme and were open to discretion under the performance criteria. Ultimately, the planning committee resolved in a close (5-4) vote in a determination to refuse the development. There is no evidence that the committee acted inappropriately in coming to its decision or conducting its affairs.

Given the highly contentious nature of the application, this refusal was welcomed by some in the community, but equally not welcomed by others.

Immediately post the refusal, commentary began as to who voted for the refusal and the impact this refusal would have on the development and addition of abodes to Hobart. These are not relevant to the decision the planning committee was tasked with making (that of assessing the application against the provisions of the planning scheme).

This commentary kicked off a ‘pile on’ of hateful, vitriolic and intimidatory messages directed at elected members, staff, and reflected poorly on the reputation of the City of Hobart and its planning processes.

Members of the planning committee have endured bullying, harassment and humiliation for completing the tasks to which they have been elected to do.

The commentary was aided and abetted by public figures who ought to know that the decision was made under a planning scheme and not under a consideration of whether elected members personally supported or not the application.

Given the desire to not have this incident repeated, it is considered that writing to public figures (for example MP’s Julie Collins, Felix Ellis, Cassy O’Connor, Ella Haddad) who publicly named and isolated elected members and reminding them of (1) the fact that as a planning committee you must vote only on the planning code and (2) that using their public profile to cast aspersions

on the conduct of elected members results in public humiliation and (3) to consider apologising.

Example letter below

Felix Ellis MP, Cassy O'Conner MP, Julie Collins MP et al

Dear Members of Parliament (MP's),

I write on behalf of Hobart City Council in relation to your recent conduct and commentary regarding a decision made by the council on a planning matter (the 'Argyle development').

As you ought to know, planning matters are often highly contentious in the community and often must be made in an environment of heightened scrutiny and public pressure. It is often the case that community members are invested in the outcome of planning decisions irrespective of the correctness and assessment of the proposal against the provisions of the planning scheme.

Council takes very seriously its role as a statutory planning authority and asks of its elected members to sit as a planning authority, as representatives of their community, and to put aside their personal views and assess applications solely against the provisions and criteria of the planning scheme.

The planning scheme (Hobart interim planning scheme 2015) is a performance-based planning scheme which recognises that there are in many cases a number of ways in which land use and development can satisfy desired environmental, social and economic standards.

To assess this there are areas of the scheme that fall within 'acceptable' or 'performance' criteria. Performance criteria are discretionary, and the development application is assessed against the criteria, and it is judged as to whether it complies.

As an example, a building height may be considered in the context of surrounding buildings if it falls within the performance criteria. An isolated building of great height would perform poorly against the performance criteria versus the exact same building of great height amongst a bevy of similar buildings.

The item in question was a planning decision made after multiple representations received from the community providing evidence against the item, an expert UDAP report highly critical of the proposal, and finally the application fell within the discretionary provisions of the planning scheme.

While a contentious decision, it was not extraordinary and at the meeting the professional director of planning indicated to committee members that it is likely a professional planner could be sourced to defend it at tribunal (i.e some experts would support refusal).

The subsequent commentary around the decision has focused on matters such as the intended purpose or who the applicant was, as well as who voted against, these are not factors taken into consideration in the scheme.

The consistent, egregious and personal attacks against the elected members on the planning committee can only be described as a form of bullying and intimidation at an outcome some in the community did not desire. There is no indication that the elected members of the planning committee in any way acted inappropriately.

We ask for your apology on behalf of the members of the planning committee for your conduct in this matter and the regrettable way in which they subsequently have had to bear community anger.

Kind regards,

Hobart City Council'

Administration Response to Notice of Motion

Discussion

This particular Development Application does highlight that there is still a degree of misunderstanding in the community of a Council's role when acting as a Planning Authority under the Land Use Planning and Approvals Act 1993. Elected Members must make decisions based purely on land use planning grounds, and sometimes this does not accord with issues such as community need and/or community sentiment. In this case, the Planning Authority formed the majority view that the proposal failed to comply with the Planning Scheme's Performance Criteria for parking, access and building height. It is the responsibility of the Planning Authority to make these calls having appropriately informed themselves of the details of the application, which in this case, ran to many 100's of pages. Accordingly, it would be difficult for any person who did not review the application and/or listen to the Planning Authority debate, to form a reasonable judgement on the planning decision that was made.

With reference to paragraph 4 of the motion, the Acting Director City Life advised the Planning Committee that we would need to obtain an external consultant planner if the application was refused, if this was appealed, and that it was not possible to say at that point whether or not we would be able to do so. Now that an appeal has been lodged, we are in the process of trying to engage an expert planner.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 7- Built Environment

Outcome: 7.4 - Community involvement and an understanding of future needs help guide changes to Hobart's built environment.

Strategy: 7.4.1 – Advocate for creative and sustainable ways to manage population growth in the built environment.

7.4.2 – Ensure transport and land use planning are integrated to deliver the best economic, social and environmental outcomes into the future.

7.4.3 – Ensure the City's land use and development policies work to maintain Hobart's identity and character.

Legislation and Policy

Legislation: Not applicable

Policy: Not applicable

Financial Implications

1. To be determined

22. Confirmation of Council Position on UTAS Move Post 2024 State Election
File Ref: F24/45866

Councillor Coats

Motion

“This motion is to clarify the position of Council given the confusion arising from frequent reporting and commentary at the recent 2024 State election.

That this Council:

1. Accept the results of the Elector Poll from October 2022 in which the constituents of the City of Hobart voted 74% that they *do {Not} support the University of Tasmania’s proposal to relocate the Sandy Bay campus into Hobart’s central business district.*
2. Note that the position taken by the Liberal Party, who subsequently formed Government, at the 2024 election was that they would pass laws prohibiting UTAS from selling off the Sandy Bay campus except with the permission of Parliament. (attached as appendix)
3. Note the position statement put forward by the Tasmanian Greens including that “The State Government should use available opportunities to ensure UTAS halts the relocation into the CBD and confirming an ongoing commitment to the maintenance of the Sandy Bay Campus for educational purposes”. (attached as appendix)
4. Note the media release put out by the Save UTAS group condemning the Liberal Policy as not stopping the relocation into the CBD and lauding the Greens position. (attached as appendix)
5. Advise that the Hobart City Council has never resolved to support the position of the Liberal Government.
6. Position is that it does *not support the University of Tasmania’s proposal to relocate the Sandy Bay campus into Hobart’s central business district.* In line with the October 2022 elector poll subsequently accepted at the meeting of the 12 of December 2022 (the next Council meeting).
7. Note that that the Council is obligated to represent and promote the interests of the community and, in doing so, to consult and involve the community (*Local Government Act 1993*, section 20 (1) and (2)).
8. Further notes that the elector poll was a consultation of the community of

their view of the UTAS relocation and that there is a clear interest in the community to oppose the relocation into the CBD and that this poll was not qualified to suggest a hybrid model.

9. Further notes that the relocation of components of the UTAS campus, including the school of Business and Economics, are contrary to the elector poll and are a relocation into the CBD.
10. Asks officers to report back to council actions currently being taken to promote the interests of the community and oppose the UTAS relocation from Sandy Bay into the CBD."

Rationale:

"The 2024 state election saw increased interest in, and discussion and commentary about, the potential UTAS relocation into the CBD. This relocation has been a matter of public discourse for some time and was famously the subject of a public meeting on the 11th of May 2022 and subsequently an elector poll held concurrent with the council elections in October 2022.

The elector poll returned a 74% majority of constituents of the City of Hobart who voted NO to the question:

Do you support the University of Tasmania's proposal to relocate the Sandy Bay campus into Hobart's central business district?

At the 2024 election many parties and candidates put forward policy positions in regards to the UTAS relocation. The Liberal policy was that they would pass laws to stop the selling of Sandy Bay without the consent of Parliament. This was then the subject of a media release by the Save the UTAS group condemning it as not being in line with the elector poll. The Greens put out a comprehensive position statement which asked that the UTAS move into the city be immediately halted. This was lauded by the same Save UTAS group media release.

Because of the public commentary and the victory by the Liberal government there has been confusion as to what the 'current' policy is around the UTAS relocation and if Council's position has changed.

As an example, recently in correspondence with a Councillor it was suggested that there were unaware that council has a position on the UTAS move, or more accurately is of the view that it has none, but that council accepts the elector poll and represents the community. A seeming contradiction.

The intent behind this motion is to send a clear message to the community that their vote matters, and that, until resolved otherwise, the City of Hobart's position is as per the Elector poll and that the Council does *NOT support the*

University of Tasmania's proposal to relocate the Sandy Bay campus into Hobart's central business district?"

Administration Response to Notice of Motion

Discussion

At its meeting on 12 December 2022, the Council passed the following motion in respect to the University of Tasmania relocation and the Elector Poll:

That Council:

1. *Notes the overwhelming 74% vote against UTAS Sandy Bay campus relocation in the recent elector poll, and the Council's obligation to represent and the community and to promote its interests, under the provisions of s.20 and s.28 of the Local Government Act 1993;*
2. *Acknowledges that in fulfilling its role as the statutory and strategic planner for the municipality of Hobart, Council will carry out its duties professionally, fairly and independently;*
3. *Notes that UTAS' most recent consultation process – branded the 'Shake Up' – does not fulfil the Council's previous requests for UTAS to consult the community, given participation and scope of the process was limited and it did not include the community's views on the decision to relocate.*
4. *Calls on the Lord Mayor to write to the UTAS Vice-Chancellor and the University Council:*
 - a). *Advising that, based on the overwhelming result in the elector poll, their proposed UTAS relocation plan to the CBD does not have a social licence and is not supported by the community in the municipality of Hobart;*
 - b). *Urging UTAS to respect the wishes of the community that is most affected by its proposal and calling upon them to reconsider the relocation of the Sandy Bay campus into the CBD;*
 - c). *Advising that the City of Hobart will commence its own strategic planning and public consultation process for Sandy Bay/Mount Nelson precinct in early 2023;*
 - d). *Advising it is Council's view that the 'Shake Up' consultation process does not fulfil the Council's previous requests for UTAS to consult the community in accordance with the Council's Community Engagement Framework (as requested by Council via letter to Vice Chancellor Rufus Black on 23 March 2022 and 8 September 2022);*
 - e). *Requesting that UTAS undertake genuine and thorough consultation*

with the Greater Hobart community, focussing on the reasons for the relocation, the costs and benefits of relocation, and the alternatives to full relocation including refurbishment of the Sandy Bay campus;

- f). Requesting that UTAS pause all activities pertaining to its proposed campus relocation until it has completed its consultation of the Greater Hobart community (as referred to in 6d and 6e above), and until the City of Hobart Structure Plan for Sandy Bay and Mt Nelson is also completed;*
 - g). Requesting that UTAS make available to the public and include in its consultation process all information that was gathered to inform the decision made by the University Council in April 2019 to relocate the campus; and,*
 - h). Recommending that UTAS initiate an independent mediation process with the Save UTAS Campus group, the National Tertiary Education Union, the Tasmanian University Students Association, and the State Government, to discuss the best way forward following the community's rejection of the campus relocation proposal.*
- 5. That Council officers prepare a report for Council that describes how and why the UTAS commitment in the Hobart City Deal changed, from relocating STEM faculties to relocating the entire campus, after the Deal had been signed and announced in February 2019."*
- 6. That the HCC immediately initiate a meeting with the State Government, Save UTAs, the University of Tasmania, the National Tertiary Education Union, Tasmanian University Students Association and the HCC for the purpose of dealing with the elector poll and a mechanism to move forward expediently.*

Pursuant to the Council decision, the Lord Mayor wrote to the UTAS Vice-Chancellor on 18 January 2023.

A report was provided to Council in February 2023, where it was noted that UTAS is not a partner in the City Deal, however, their planning and activities impact on the City Deal. The report also noted that when the Hobart City Deal was first developed in 2018 to 2019, UTAS was focussed on enhancing STEM facilities in the Hobart CBD, however, when the City Deal was released in February 2019, the University's plans subsequently evolved to incorporate the relocation of its Southern Campus. This change was reflected in the language used in the Hobart City Deal Implementation Plan, when it was released in October 2019.

In relation to the meeting of key stakeholders, the first meeting was held on 28 August 2023 and second meeting was held recently on 10 April 2024.

The Motion is calling for "officers to report back to council actions currently being taken to promote the interests of the community and oppose the UTAS relocation from Sandy Bay into the CBD". Given the recent changes that have

occurred in respect to the UTAS re-location project and in particular in the State Government's flagged requirements for any disposal of land at the UTAS Sandy Bay site, it would seem prudent to complete such a report. In preparing the report it is suggested that the Council engage with UTAS and other stakeholders and further workshop/discuss the current and future status of the project.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 8 - Governance and Civic Involvement

Outcome: 8.1 - Hobart is a city that is well governed that recognises the community as an active partner that informs decisions.

Strategy: 8.1.2 - Ensure the needs of the community are well represented through effective advocacy and strong collaborative partnerships with key stakeholders and all levels of government.

8.1.3 – Make informed decisions by undertaking genuine, transparent and appropriate community engagement to understand the current and future needs of the community.

Legislation and Policy

Legislation: Not applicable

Policy: Not applicable

Financial Implications

1. To be determined.

Attachment A: Majority Rockliff Liberal Government will keep UTAS in Sandy Bay - Tasmanian Liberals (Supporting information) 

Attachment B: UTAS Position Statement - Tasmanian Greens (Supporting information) 

Attachment C: Liberal Party Policy - Save UTAS (Supporting information) 

23. Catchment Management
File Ref: F24/45875

Councillor Lohberger and Councillor Kelly

Motion

“The Hobart City Council calls on the State Government to establish a single management organisation for the River Derwent catchment to:

1. prioritise the supply of drinking water for Hobart and southern Tasmania, and
2. to monitor water quality and reduce the amount of nutrients and pollution entering this critical drinking water catchment.”

Rationale:

“The River Derwent is under growing pressure from climate change, increased drinking water usage, increased industrial use, increases in nutrient levels and algal blooms, and the massive expansion of irrigation - with further expansion planned. This year is also the tenth anniversary of the 2014 state government decision to cancel regular water testing of Tasmanian rivers for agricultural chemical contamination.

Scientists and medical doctors are expressing concern about Hobart’s drinking water catchment. Dr Christine Coughanowr in particular, the former longtime head of the Derwent Estuary Program, has been raising serious concerns for several years about growing problems in the Derwent catchment. Dr Coughanowr is one of Tasmania’s leading fresh water experts, and she has specific experience and knowledge in the Derwent after managing the DEP for decades. Dr Coughanowr is likely one of our foremost experts on the River Derwent itself, and if she is concerned about water quality in the Derwent, then we should all take notice.

There is no single authority to manage the Derwent or its large catchment, which covers around 13% of Tasmania. The current management of the catchment involves multiple Councils, GBEs, large private landholders, and numerous government agencies and departments, all managing or responsible for some but not all of the catchment. There are too many cooks in the kitchen and, as a result, compliance in the catchment is contestable, and there is evidence that different government authorities can, and do, disagree over who is responsible - but only after pollution events occur.

While the Environmental Protection Agency does have some powers to regulate use in the catchment, there is a problem with the EPA and other authorities disagreeing over who is responsible. This occurred in the Plenty River valley, where the EPA and Derwent Valley Council disagreed over responsibility for a composting operation that caused a massive fish kill in the Plenty River. And the same problem has again occurred earlier this year at Risdon Vale, with the Clarence City Council and the EPA disagreeing over

responsibility for managing a tip site. When management does take place it is reactive, occurring only after 100,000 fish are killed, or neighbours raise the alarm.

TasWater does its best to provide clean drinking water from the Derwent, but ultimately it is the meat in the sandwich in this debate. TasWater is caught between the upper Derwent catchment, over which it has no regulatory control, and the need to continue providing clean drinking water from that catchment. A catchment management authority can only help TasWater in its mission.

It is clear that the current fragmented management system is not working, and when it does work it is reactive, taking action only after serious pollution events have occurred. This is not acceptable in our drinking water catchment.

A single management organisation is needed to prioritise drinking water over other uses of River Derwent water, with the power to monitor water quality and to enforce compliance if users are directing unacceptable levels of pollution into the Derwent or its tributaries.”

Administration Response to Notice of Motion

Discussion

As the rationale for the motion identifies, the management of catchments is complex as no single entity has jurisdiction over the many regulatory and operational elements and this includes water quality.

Local Governments play a role, as do entities such as the Derwent Estuary Program, NRM South, TasWater, State Government and there is no single entity which ensure that the roles of these entities are coordinated.

This issue was identified in Northern Tasmania around the kanamaluka/Tamar estuary which has long been vulnerable to poor environmental management with issues such as modification and pollution having an impact on the estuary's health.

The State Government formed the Tamar Estuary Management Taskforce (TEMT) to bring together all the organisations; business, local and state government; to improve and deliver a healthier estuary. It is a collaborative partnership, designed to make sure all of our individual efforts are coordinated for the benefit of the health and management of the Estuary.

The Taskforce is an advisory body, which seeks to explore and provide options and advice to the Tasmanian Government on how to develop and manage the kanamaluka/Tamar Estuary. The membership includes those government departments, agencies, local government authorities and expert bodies with responsibilities for the Estuary. Taskforce

members include the following entities: Infrastructure Tasmania, City of Launceston, Northern Midlands Council, George Town Council, West Tamar Council, Meander Valley Council, Launceston Flood Authority, Launceston Chamber of Commerce, TasWater, Hydro Tasmania, Department of Natural Resources and Environment Tasmania and NRM North.

The establishment of a Taskforce could potentially be considered as a first stage in addressing the issues raised in the Motion.

One of the initial steps of a Taskforce would be to properly define the boundaries of the proposed management area. The current scope of the motion limits the proposed management authority to the freshwater section of the Derwent River as the 'drinking water catchment', it may be addressed during scoping investigations whether the boundary of any future taskforce or management authority is extended to include the quality and environmental health of the Derwent Estuary as well as the Derwent River Catchment, or extends to an arbitrary downstream location such as the Tasman Bridge.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 6 – Natural Environment

Outcome: 6.1 – The natural environment is part of the city and biodiversity is conserved, secure and flourishing.

Strategy: 6.1.5 – Regulate, measure and manage potentially polluting activities, prioritising air and water quality.

Legislation and Policy

Legislation: Not applicable

Policy: Not applicable

Financial Implications

1. To be determined.

24. Crowther Statue Vandalism, Repair and Future
File Ref: F24/45881

Councillor Elliot

Motion

“That the Council:

1. Condemn the destructive vandalism of the Dr William Crowther statue.
2. Support the timely and professional repair of the statue.
3. Confirm its support that a new permanent home for the statue must be facilitated that provides safe and secure public access to the statue.
4. Requests officers to prepare a report for the Council’s June meeting that addresses:
 - when and by whom the statue will be repaired
 - the direct and indirect cost of the statue’s repair to the Council
 - how the conditions on the Council’s planning permit and Heritage Council of Tasmania consent are impacted and will be managed given the statue’s vandalism
 - the status of negotiations with collecting institutions around a permanent home for the statue
 - the feasibility of the statue being offered for sale to the community.”

Rationale:

“While the Council is the technical owner of the statue, the Dr Crowther statue is the only monument in the State that was paid for by the community. Over 1000 people contributed small donations to pay for this statue and its plinth. Given this, the Council has a moral obligation to ensure the horrific vandalism of the statue is repaired and that safe and secure public access to this valuable heritage item is facilitated.

Various materials related to the Crowther Reinterpreted Project, reference the need for “negotiations with public collecting institutions” to occur to find a permanent home for the Crowther statue. As noted by the Professional Historians Association (Victoria and Tasmania), the statue is “... *a cultural artefact of the past and it should be preserved – if not in situ, in a safe repository such as the Tasmanian Museum and Art Gallery.*”

Administration Response to Notice of Motion

Discussion

1. The City of Hobart condemns vandalism in all forms and is deeply disappointed with the vandalism against the Crowther statue undertaken in May 2024.
2. The repair of the statue will be guided by the advice of the qualified material conservator in relation to all elements of the monument (the bronze component and the sandstone plinth).
3. At the expiration of the appeal period in mid-June 2024, the City will work with the conservator to finalise the proposal for the Tasmanian Heritage Council regarding the new permanent home for the statue.
4. A further report to council addressing the elements listed would be informed by the conservator and timing will be dependent upon the outcomes of the current process.
5. The planning permit is now effective. The Tasmanian Heritage Council have advised that the illegal removal of the statue is considered to fall within the “emergency” provisions of its legislative framework, and so it does not consider that the planning permit conditions need to be complied with at this point. Beyond the initial steps taken to move the statue to a safe place and protect the remaining parts of the statue and plinth, no further steps will be taken to comply with the permit until it is understood whether the permit will be appealed.
6. The planning permit includes a requirement for the statue to remain in public ownership.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

- Pillar: 2 – Community inclusion, participation and belonging.
- Outcome: 2.1: Hobart is a place that recognises and celebrates Tasmanian Aboriginal people, history and culture, working together towards shared goals.
- Strategy: 2.1.1 Demonstrate leadership in Aboriginal social justice in partnership with Aboriginal people.
- 2.1.2 Highlight Tasmanian Aboriginal history and culture, including acknowledgement of the darkness of our shared experience, through interpretation, naming, arts and events.
- Pillar: 3 – Creativity and culture
- Outcome: 3.2: Creativity serves as a platform for raising awareness and promoting understanding of diverse cultures and issues.
- Strategy: 3.2.1: Use the creative arts as a platform for encouraging participation in public life and raising awareness of important issues.

3.2.2: Support arts and events as a means of story sharing and sparking conversations about ideas, histories and diverse cultures.

3.2.4: Support creative and cultural initiatives that invite people to engage with Tasmanian Aboriginal history and culture.

Legislation and Policy

Legislation: Historic Cultural Heritage Act 1995
Land Use Planning and Approvals Act 1993

Policy: Not applicable

Financial Implications

1. It is anticipated that the preparation of a report will have no cost beyond officer time.
2. Potential costs associated with the repair of the statue have not been quantified.

25. Two-Step Planning Application Review Process
File Ref: F24/45860

Alderman Zucco

Motion

“That the CEO prepare a report to Council:

1. To develop a two-step process for planning applications whereby applications are considered firstly by a Planning Committee which develops a recommendation for approval or refusal of non-officer delegated applications to be ultimately considered by the full Council acting as Planning Authority at a later date and or other Council delegated Planning Authority Committee as part of the two step process.
2. As part of the report, the CEO consider the Planning Committee consisting of six elected members that is tasked with forming a recommendation for consideration at a later date within 7 days of the planning committee.”

Rationale:

“Recent events have highlighted the value of a two-step process when assessing planning applications. Return to a two-step process for planning applications allows:

- applications to be considered in depth, including deputations, through the Planning Committee
- time to carefully consider an application before final decision
- time for more information to be sought as required
- time for applicants to respond to concerns raised by the Committee and/or representors to the Planning Committee
- time for the applicant to amend, withdraw or seek another opportunity to highlight the merits of the application.

A return to the two-step process that was in place for many years before 2022 and functioned well.

It is acknowledged that this two-step process is extra work and increases scheduling pressures, however, the benefit is a greater opportunity for community input and for applicants to be able to respond to concerns raised prior to final decision by the Council. Given many planning decisions are for developments that will impact the Hobart built landscape for decades to come it is seen as appropriate to maximise community input.

There is also an additional benefit in that a smaller Planning Committee means a more streamlined meeting and other Council members can still attend if required and/or can watch the recording. This benefit is also for those who can watch the representations and make a considered decision prior to final decision at Council.”

Administration Response to Notice of Motion

Discussion

The matters raised in the Motion will be addressed in the Governance Review that is currently being carried out by staff.

The review is currently examining means of providing scope for the Planning Authority to defer more complicated and/or major project development applications, where it is identified that further refinement and/or consideration is required. It needs to be acknowledged that these types of development applications represent a small percentage of the matters that are determined by the Council, so it makes sense to provide a balance whereby these applications receive the necessary scrutiny that they deserve, while other more straight-forward development applications are provided with the most timely pathways that is possible.

The Governance Review is intended to be further workshopped with the Council in early June with a decision aiming to be made at the June Council meeting.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	8 - Governance and Civic Involvement
Outcome:	8.1 - Hobart is a city that is well governed that recognises the community as an active partner that informs decisions.
Strategy:	8.1.1 – Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements. 8.1.3 – Make informed decisions by undertaking genuine, transparent and appropriate community engagement to understand the current and future needs of the community.

Legislation and Policy

Legislation:	Not applicable
Policy:	Not applicable

Financial Implications

1. To be determined.

26. RESPONSES TO QUESTIONS WITHOUT NOTICE**File Ref: F24/43357**

Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

The Council is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.

26.1 Elected Members - Legal Costs

Memorandum of the Director City Enablers 9 May 2024.

26.2 Elected Member - Legal Costs

Memorandum of the Director City Enablers 9 May 2024.

26.3 Employment Opportunities - Migrant Community

Memorandum of the Acting Director Connected City 7 May 2024.

26.4 Large Vehicle Infringements

Memorandum of the Acting Director City Life 30 April 2024.

26.5 Removal of Sign

Memorandum of the Acting Director City Life 9 May 2024.

26.6 Road - Maintenance

Memorandum of the Director City Enablers 9 May 2024.

26.7 Thermal Heat Map

Memorandum of the Acting Head of Intergovernmental Relations & Partnerships 10 May 2024.

Recommendation

That the attached responses to Questions Without Notice be received and noted.

- Attachment A: Elected Members - Legal Costs (Supporting information) 
- Attachment B: Elected Member - Legal Costs (Supporting information) 
- Attachment C: Employment Opportunities - Migrant Community (Supporting information) 
- Attachment D: Large Vehicle Infringements (Supporting information) 
- Attachment E: Removal of Sign (Supporting information) 
- Attachment F: Road - Maintenance (Supporting information) 
- Attachment G: Thermal Heat Map (Supporting information) 

27. QUESTIONS WITHOUT NOTICE
File Ref: F24/43358

Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

- (1) A councillor at a meeting may ask a question without notice –
 - (a) of the chairperson; or
 - (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a councillor must not –
 - (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson of a meeting may require a councillor to put a question without notice in writing.

BUSINESS ARISING**28. Questions Taken on Notice During Debate**
File Ref: F24/47551

In accordance with the Council's *Meetings: Procedures and Guidelines Policy*, attached is a register of questions taken on notice during debate of previous items considered by the Council.

Recommendation

That the register of questions arising during debate be received and noted.

Attachment A: Questions During Debate - as at May 2024 (Supporting information) 

29. 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:

- Minutes of a Closed Council Meeting
- Leave of Absence
- Information of a personal and confidential nature

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
Item No. 6	Outstanding Sundry Debts and Debt Write-Offs as at 31 March 2024
	LG(MP)R 15(2)(g)
Item No. 7	QUESTIONS WITHOUT NOTICE
	LG(MP)R 15(2)(g)
Item No. 8	Questions Taken on Notice During Debate
	LG(MP)R 15(2)(g)