



CITY OF HOBART

AGENDA

OPEN PORTION OF THE COUNCIL MEETING

MONDAY 11 JULY 2016

AT 5.00 PM

THE MISSION

Our mission is to ensure good governance of our capital City.

THE VALUES

The Council is:

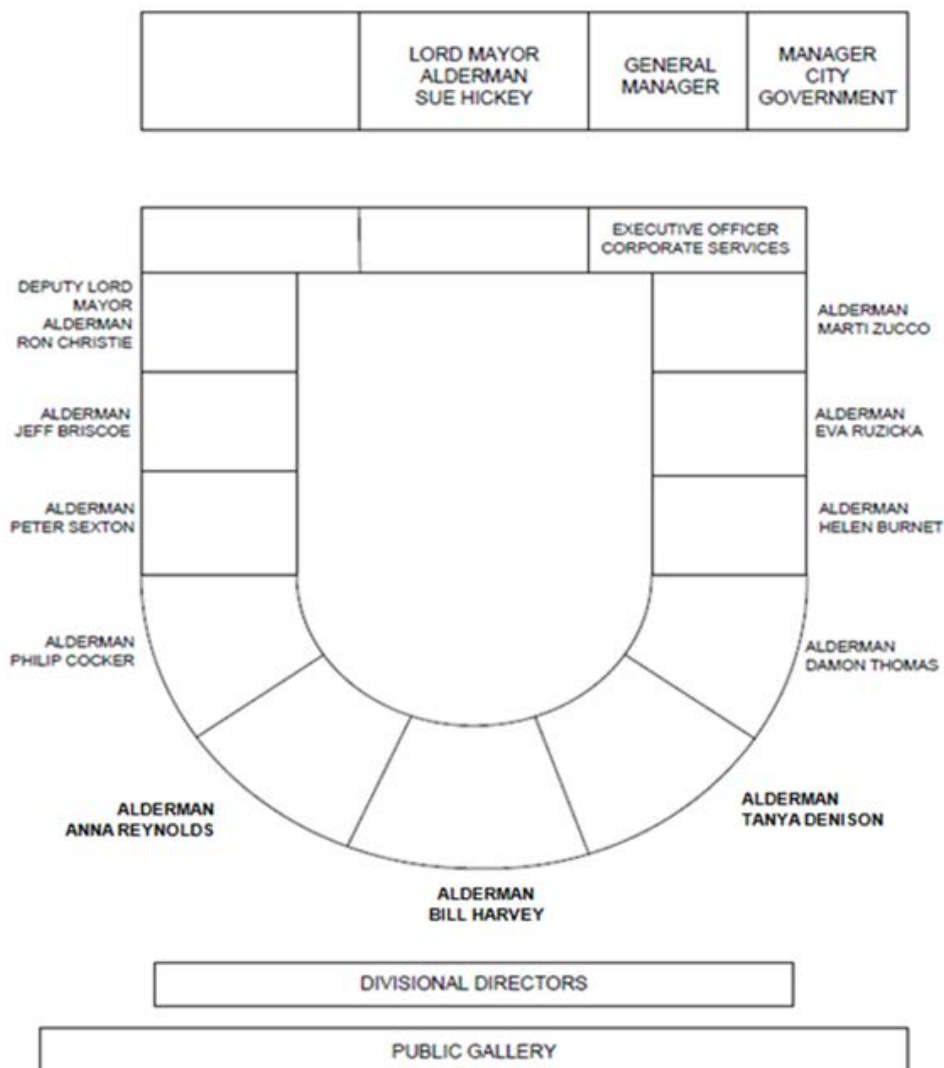
about people	We value people – our community, our customers and colleagues.
professional	We take pride in our work.
enterprising	We look for ways to create value.
responsive	We're accessible and focused on service.
inclusive	We respect diversity in people and ideas.
making a difference	We recognise that everything we do shapes Hobart's future.

HOBART 2025 VISION

In 2025 Hobart will be a city that:

- Offers opportunities for all ages and a city for life
- Is recognised for its natural beauty and quality of environment
- Is well governed at a regional and community level
- Achieves good quality development and urban management
- Is highly accessible through efficient transport options
- Builds strong and healthy communities through diversity, participation and empathy
- Is dynamic, vibrant and culturally expressive

LAYOUT OF THE COUNCIL CHAMBER



PRESENT

APOLOGIES

LEAVE OF ABSENCE

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OPEN COUNCIL AGENDA

Lord Mayor Hickey
Deputy Lord Mayor Christie
Aldermen

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

**A meeting (Open Portion) of the Council will be held
in the Council Chamber, Town Hall on Monday
11 July 2016, at 5.00 pm.**

**N D HEATH
GENERAL MANAGER**

PRESENT:

APOLOGIES:

LEAVE OF ABSENCE: The Lord Mayor
Alderman S L Hickey.

ACKNOWLEDGEMENT OF COUNTRY

1. MINUTES OF THE LAST MEETING (OPEN PORTION) OF THE COUNCIL HELD ON MONDAY 20 JUNE 2016

The Chairman reports that he has perused the minutes of the last meeting (Open Portion) of the Council held on 20 June 2016, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

2. TRANSFER OF AGENDA ITEMS

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

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of Regulation 8 (2) (c) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

Date: 22 June 2016
Purpose: Transport Strategy Workshop

5. PUBLIC QUESTION TIME

6. PETITIONS

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

cont.../

Item No. 7 continued

RECOMMENDATION

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

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Part 2 Regulation 8 (7) of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Aldermen to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

In addition, in accordance with the Council's resolution of 14 April 2008, Aldermen are requested to indicate any conflicts of interest in accordance with Part 2 of the Act adopted by the Council on 9 May 2016.

Accordingly, Aldermen are requested to advise of pecuniary or conflicts of interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

- 9.1 15-17 LIVERPOOL STREET, 61 BROOKER AVENUE, 71 BROOKER AVENUE, CT 160498/2, BROOKER AVENUE ROAD RESERVATION, BATHURST STREET ROAD RESERVATION, HOBART – SHARED USE BICYCLE AND PEDESTRIAN BRIDGE – PLN 16-00386-01 – FILE REF: 30-1-59**
Ref. Open CPC Supp 6.1.4, 4/7/2016
Application Expiry Date: 13/7/2016

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a shared use bicycle and pedestrian bridge at 15-17 Liverpool Street, 61 Brooker Avenue, 71 Brooker Avenue, CT 160498/2, Brooker Avenue Road Reservation, Bathurst Street Road Reservation, Hobart for the reasons outlined in the officer's report attached to the supplementary item 6.1.4 of the Open City Planning Committee agenda of 4 July 2016 and a permit containing the following conditions be issued:

GENERAL

- GEN The use and/or development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-16-00386-01 outlined in Attachment A to this permit except where modified below.

cont.../

Item No. 9.1 continued***Reason for condition******To clarify the scope of the permit.*****TASWATER**

TW The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/00479-HCC dated 26/04/2016 as attached to the permit.

Reason for condition***To clarify the scope of the permit.*****HERITAGE**

HERs1 The recommendations detailed in Section 9 of the Kostoglou/Watton Statement of Historical Archaeological Significance (submitted as part of the application documentation) must be implemented throughout the construction works.

A report on the findings of those archaeological works must be submitted to the planning authority within six months of the completion of works.

Reason for condition***To protect the heritage values of the area.***

HERs2 The recommendations of the Arborist Impact Assessment (Romanski 27/11/15 as submitted with the application) for trees 1 and 2 as identified in that document must be implemented throughout the construction works.

Reason for condition***To protect the heritage values of the area.***

cont.../

Item No. 9.1 continued**ENVIRONMENTAL**

ENV1 Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be maintained until all areas of disturbance have been stabilized or revegetated.

Advice: For further guidance in preparing Soil and Water Management Plans in accordance with Fact Sheet 3 Derwent Estuary Program go to www.hobartcity.com.au development engineering standards and guidelines.

Reason for condition

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

ENV2 The landslide risk mitigation measures recommended in the letter from Terroir Pty Ltd dated 16 May 2016 must be implemented during the works.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENGINEERING

ENG1 The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development.

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and

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Item No. 9.1 continued

nature strip, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction.

In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENGsw The cost of any alterations to the Council's or third-party infrastructure incurred as a result of the proposed development works must be met by the owner.

Reason for condition

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

ENGsw1 The Council's stormwater infrastructure within five metres of the proposed works must be protected from damage during the construction of the development.

Reason for condition

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

ENGsw3 The proposed works (including footings and overhangs) must be designed to ensure the long term protection of and access to the Council's stormwater infrastructure.

A detailed design certified by a suitably qualified engineer must be submitted and approved prior to issue of any consent under the Building Act 2000. The detailed design must:

cont.../

Item No. 9.1 continued

- Demonstrate that no additional loads are imposed on the stormwater main;
- Demonstrate that the structure is entirely independent of the main and its trenching;
- Demonstrate how adequate access to the main is maintained for both maintenance and future capacity upgrade works;
- Include cross-sections which clearly state minimum separation; and
- Include certification by a suitably qualified engineer that the works do not impose any loads on the stormwater main and the structure is entirely independent of the main and its trenching.

Prior to issue of any Certificate of Completion a suitably qualified engineer must confirm the installation of the works within five metres of Council's stormwater main is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice: Once the detailed design drawings has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

In this case, Council will accept a minimum separation of 3m from footings on the western side of Park Street Rivulet, with any works within this zone to be demountable.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw4 Council stormwater infrastructure must be carefully and accurately located onsite, and marked on the ground.

cont.../

Item No. 9.1 continued

Prior to construction of the footings, the stormwater pipe and clearance must be inspected and confirmed by the Council's Project and Development Inspector to ensure the minimum separation is achieved.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw5

Construction of the works must not adversely impact Park Street Rivulet.

A Construction Management Infrastructure Protection Report must be submitted and approved prior to commencement of works. The report must:

- be prepared by a suitably qualified and experienced engineer;
- detail the proposed construction methodology and identify all potential risks to the Rivulet during construction including but not limited to construction loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm;
- provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks; and
- include a monitoring regime.

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

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw7/8

The development must be drained to Council infrastructure. Any new public stormwater infrastructure required, including connections, must be constructed prior to issue of a Certificate of Completion.

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Item No. 9.1 continued

Detailed design drawings showing both existing and proposed services must be submitted and approved, prior to issue of any consent under the *Building Act 2000*.

The detailed design drawings must include:

- The title boundaries, with each Lot serviced separately by Council infrastructure and all private plumbing contained within each Lot;
- The location, size and design of the connection(s);
- Long-sections of the proposed infrastructure clearly showing any nearby services, cover, size, material, access points (including safe working space); gradients;
- The public piped stormwater infrastructure must be sized to accommodate at least the 5% AEP flows from the catchment;
- Clearly distinguish between public and private infrastructure, and the ownership of any private plumbing;
- Be checked and certified by a qualified and experienced engineer.

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

Advice: Once the detailed design drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to initiate an application for service connection.

The construction of public infrastructure will require a Permit to Construct Public Infrastructure.

Reason for condition

To ensure the site is drained adequately.

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Item No. 9.1 continued

ENGtr1

The proposed bridge and associated infrastructure within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the bridge and associated infrastructure within the Brooker Avenue and Bathurst Street highway reservation must be submitted and approved, prior to the commencement of work and must:

- Be prepared and certified by a suitable qualified person and experienced engineer;
- Demonstrate that the bridge will not undermine the stability of the highway reservation;
- Take into account and reference accordingly any geotechnical findings;
- Show the location of existing and proposed services and infrastructure;
- Include a lighting design in accordance with AS 1158 standards;
- Show any changes to traffic lanes and parking in detail;
- Show the construction of any new footpath in accordance with the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Include design and certification of any pedestrian and vehicle barriers in accordance with the Department of State Growth Specifications Guidelines and procedures, Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Be in accordance with the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures; and

cont.../

Item No. 9.1 continued

- Include a safe design of structures assessment in accordance with the *Safe Design of Structures Code of Practice* (as adopted under section 274 of the *Work Health and Safety Act 2012*) and supply to the Council any documentation from the norm for the ongoing maintenance and replacement of any structures within the Highway Reservation.

All work required by this condition must be undertaken in accordance with the approved design drawing and structural certificates.

Once the works have been completed, the as constructed drawings must be submitted to the Council.

Advice: Once the design drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGtr2 A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

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

- (a) Be prepared by a suitably qualified person, by the Council;
- (b) Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
- (c) Include a start date and finish dates of various stages of works;

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Item No. 9.1 continued

- (d) Include times that trucks and other traffic associated with the works will be allowed to operate;
- (e) Nominate a superintendant or like to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

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

Advice: Once the construction traffic and parking management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

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

Advice: The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit www.hobartcity.com.au for further information.

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

If a condition endorsement is required by a planning condition above, please forward documentation required to satisfy the condition to rfiinformation@hobartcity.com.au, clearly identifying the planning permit number, address and the condition to which the documentation relates.

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Item No. 9.1 continued

Once approved, the Council will respond to you via email that the condition/s has been endorsed (satisfied). Detailed instructions can be found at

www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement.

- Building permit in accordance with the Building Act 2000; www.hobartcity.com.au/Development/Building.
- Plumbing permit under the *Tasmanian Plumbing Regulations 2014*; www.hobartcity.com.au/Development/Plumbing.
- Permit for the occupation of the public highway for construction e.g. placement of crane, scissor lift etc) http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation.
- Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve) http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths.
- Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones. http://www.hobartcity.com.au/Transport/Permits/Parking_Permits.
- Any damage to council's infrastructure must be reported to Council's compliance area. Please note the developer is liable for any damage to property or person due to unsafe and/or damaged infrastructure within or supporting the highway reservation and the developer should review their insurance.
- Please note development must be in accordance with the Hobart City Council's Highways By-law <http://www.hobartcity.com.au/Council/Legislation>.
- Fees and charges http://www.hobartcity.com.au/Council/Fees_and_Charges.
- Dial before you dig www.dialbeforeyoudig.com.au.

If you do not have access to the Council's electronic webpage, please phone the Council (City Planning) on 623 82715 for assistance.

10. HOBART INTERIM PLANNING SCHEME 2015 – CENTRAL BUSINESS ZONE – HEIGHT STANDARDS – PERFORMANCE CRITERIA REVIEW – PROJECT BRIEF – FILE REF: 32-13-4

Ref: Open CPC 7, 4/7/2016

Attachment Pages 20-47

Project brief amended as outlined in the minutes of the City Planning Committee meeting of 4 July 2016.

That the Council endorse the attached project brief to review the performance criteria and related objectives used in the height standards in the Central Business Zone and the Commercial Zone in the *Hobart Interim Planning Scheme 2015*, and invite Leigh Woolley – Architect and Urban Design Consultant to submit a quotation to undertake the project.

11. 16TH INTERNATIONAL CITIES, TOWN CENTRES AND COMMUNITIES CONFERENCE – LAUNCESTON – 9-11 NOVEMBER 2016 – ALDERMANIC NOMINATIONS – FILE REF:13-2-22

Ref: Open CPC 8, 4/7/2016

- That:
1. Alderman Burnet attend the 16th International Cities, Town Centres and Communities Conference to be held in Launceston from 9–11 November 2016.
 - (i) The estimated cost of attendance is \$1,493 per person, inclusive of full registration fees, accommodation and other incidental expenditure.
 2. Further Aldermanic nominations be sought.

PROJECT BRIEF – HOBART INTERIM PLANNING SCHEME 2015 – CENTRAL BUSINESS ZONE – HEIGHT STANDARDS PERFORMANCE CRITERIA REVIEW

REQUIRED EVALUATION RETURNS

In order to enable evaluation of your company's submission, ensure the following information is submitted with the quotation:

Item	Return Description
1.	Lump sum fee proposal for the services. Itemised breakdown of the total project costs, including stages, key tasks, personnel hours and rates, and any expenses.
2.	Disclosure of any matters that could ultimately lead to a conflict of interest in undertaking the service.
3.	Details of the proposed methodology, including the timing of key tasks, stages, milestones, deliverables and key dates.

STATEMENT OF REQUIREMENTS

1. DESCRIPTION

- The City of Hobart is seeking to engage a suitably qualified and experienced Contractor to undertake a review of the performance criteria and related objectives used in the height standards in the Central Business and Commercial Zones (**Attachment A**) in the Hobart Interim Planning Scheme 2015 (HIPS2015).

3. PROJECT TIMEFRAME

It is anticipated that the services will be completed in accordance with this brief by 30 November 2016.

4. BACKGROUND

The development standards for buildings in the Central Business and Commercial Zones in the HIPS2015 were formulated after a detailed review and analysis of land use and development patterns in the central area. The results of this work are documented in the Central Area Review Background Report (HCC 2013). The development standards address building height, setbacks, design, passive surveillance, outdoor storage and pedestrian links.

The building height standards in the Central Business Zone (clause 22.4.1 – **Attachment B**) include an 'Amenity Building Envelope' which has been developed with regard to heritage, streetscape and sense of scale, wind effects and solar penetration.

The performance criteria in clause 22.4.1 P1(b) provides that development outside the Amenity Building Envelope must only be approved if:

- (i) it provides overriding benefits in terms of economic activity and civic amenities, unless an extension to an existing building that already exceeds the Amenity Building Envelope; and*
- (ii) the siting, bulk and design does not significantly negatively impact on the streetscape and townscape of the surrounding area; and*
- (iii) the design demonstrates that it will minimise unacceptable wind conditions in adjacent streets; and*
- (iv) for city blocks with frontage to a Solar Penetration Priority Street in Figure 22.2, the overshadowing of the public footpath on the opposite side of the Solar Penetration Priority Street is not increased between the hours of 11am and 3pm at the spring or autumn equinox compared with the existing situation.*

Since the introduction of the HIPS2015 in May 2015 one significant development application has been submitted for a building outside the Amenity Building Envelope (28-32 Elizabeth St. - Palace Hotel). The assessment of this proposal identified limitations in the use of performance criteria P1(b)(ii) and concerns have been expressed that this criteria may not provide sufficient guidance to ensure that impacts on streetscape, townscape and heritage values are acceptable.

Additional standards in clause 22.4.1 A4/P4 and A5/P5 and in the Historic Heritage Code (E13.0) apply to development on or adjacent to heritage listed places.

The building height standards in the Commercial Zone (clause 23.4.1 – **Attachment C**) have been developed with regard to streetscape and scale considerations.

5. OBJECTIVES

The objectives of this project are:

- (i) To assess whether or not the performance criteria P1(b)(ii) in clause 22.4.1 provides sufficient guidance for assessing applications for development outside of the Amenity Building Envelope to ensure that impacts on streetscape and townscape values in the Central Business Zone are acceptable.
- (ii) To draft appropriate amendments to the objective and performance criteria in clause 22.4.1 P1(b) and draft 'desired future character' statements if it is concluded that the current criteria do not provide sufficient guidance to ensure that impacts on streetscape and townscape values are acceptable.
- (iii) To identify issues related to townscape considerations relevant to the translation of the HIPS2015 and the Sullivans Cove Planning Scheme 1997 into the Hobart Local Provisions Schedule of the Tasmanian Planning Scheme.
- (iv) Review the building height standards in the Commercial Zone (clause 23.4.1) and evaluate whether or not they will ensure that building height contributes positively to the streetscape and will not adversely impact on the townscape in the central business area.

6. SCOPE

Key Tasks:

1. Based on work already undertaken for the Central Area Strategy Plan – Townscape Report (1991 HCC), City of Hobart Urban Design Principles Project (2004 L Woolley), Views – Experiencing Sullivans Cove (2011 L Woolley) and the Townscape Assessment 28-32 Elizabeth Street (2015 L Woolley) identify the key streetscape and townscape values that require consideration when assessing buildings proposed outside of the Amenity Building Envelope.
2. Evaluate and articulate how the landform of the City and CBD informs the key townscape values that require consideration. Use existing case studies such as that for the 'Civic Square Masterplan' to inform this work.
3. Assess whether or not consideration of the building elements related to; 'siting,' bulk' and 'design' alone are adequate to ensure that impacts on streetscape and townscape values in the Central Business Zone are acceptable when buildings outside the Amenity Building Envelope are proposed. Identify additional elements for consideration if deemed necessary.
4. Assess whether or not the phrase: '*does not significantly negatively impact*' provides sufficient guidance for assessing applications for development outside of the Amenity Building Envelope. Identify additional statements for consideration if deemed necessary.
5. If considered necessary draft appropriate amendments to the performance criteria in clause 22.4.1 P1(b) to ensure that potential adverse impacts on streetscape and townscape values from buildings outside the Amenity Building Envelope are acceptable.
6. If considered necessary draft appropriate amendments to the objective for the building height standards (22.4.1) to reflect any changes to the performance criteria in clause 22.4.1 P1(b).
7. If considered necessary draft appropriate desired future character statements for consideration under the performance criteria in clause 22.4.1 P1(b).
8. Identify issues related to townscape considerations relevant to the translation of the HIPS2015 and the Sullivans Cove Planning Scheme 1997 into the Hobart Local Provisions Schedule of the Tasmanian Planning Scheme.
9. Review the building height standards in the Commercial Zone (clause 23.4.1) and evaluate whether or not they will ensure that building height contributes positively to the streetscape and will not adversely impact on the townscape in the central business area. If considered necessary draft appropriate amendments to address any deficiencies identified.

7. DETAILED REQUIREMENTS

Project Outputs:

- The project output is a report that clearly presents the results of the tasks outlined in section 5.
- The report is to be submitted via email in PDF and Microsoft Office Word format to the Project Manager.
- In addition to the written report, the Contractor is required to provide the City Planning Committee with a presentation of their findings, including conclusions and recommendations.

8. COUNCIL'S INPUT

The Council will provide:

- Copies of or access to any relevant reports, plans or files;
- Relevant property data contained within the Councils property information databases;
- GIS data held in the Council GIS system;
- Access to Council's K2Vi 3D Model of the central business area.

9. PROJECT MANAGEMENT

James McIlhenny, Manager Planning Policy and Heritage, Hobart City Council will be the Project Manager and primary contact for the Contractor. Phone: 03 62382891 – email: mcilhennyj@hobartcity.com.au

10. REPORTING REQUIREMENTS

The Contractor is to provide a monthly verbal progress report to the Project Manager.

11. PROJECT MEETINGS

An initiation meeting will be held with the Contractor, Council's Director City Planning and Manager Planning Policy and Heritage to discuss the brief and provide clarification of any issues prior to the project commencing. Other meetings will be held on a needs basis.

12. PROJECT BUDGET

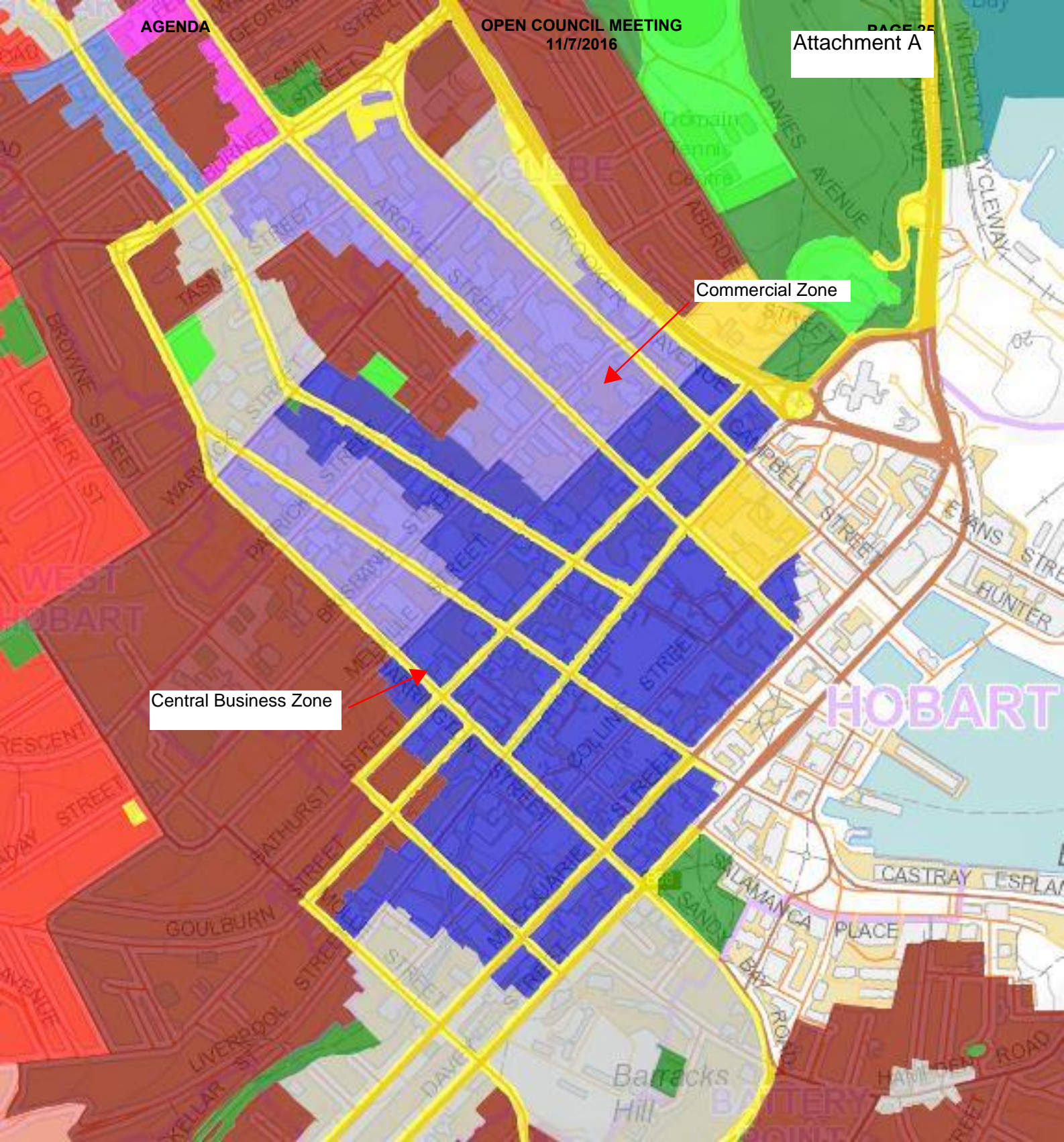
The budget for the project is up to a maximum of \$25,000.

13. REFERENCE DOCUMENTS

The following reference documents are relevant to this project:

- Central Area Strategy Plan – Townscape Report (1991 HCC & L Woolley)
- City of Hobart Urban Design Principles Project (2004 L Woolley)
- Townscape Assessment 28-32 Elizabeth Street (2015 L Woolley)
- Civic Square Masterplan (2016 L Woolley)
- Central Area Zoning Review Stages 1 to 5 (2005 GHD Pty Ltd) and Central Area Review Background Report (2013 HCC) available at:

http://www.hobartcity.com.au/Development/Planning/Planning_Schemes/Reports_and_Studies



Commercial Zone

Central Business Zone

HOBART

22.0 Central Business Zone

22.1 Zone Purpose

22.1.1 Zone Purpose Statements

- 22.1.1.1 To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.
- 22.1.1.2 To maintain and strengthen Hobart's Central Business District and immediate surrounds including, the waterfront, as the primary activity centre for Tasmania, the Southern Region and the Greater Hobart metropolitan area with a comprehensive range of and highest order of retail, commercial, administrative, community, cultural, employment areas and nodes, and entertainment activities provided.
- 22.1.1.3 To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.
- 22.1.1.4 To facilitate high density residential development and visitor accommodation within the activity centre above ground floor level and surrounding the core commercial activity centre.
- 22.1.1.5 To ensure development is accessible by public transport, walking and cycling.
- 22.1.1.6 To encourage intense activity at pedestrian levels with shop windows offering interest and activity to pedestrians.
- 22.1.1.7 To encourage a network of arcades and through-site links characterised by bright shop windows, displays and activities and maintain and enhance Elizabeth Street Mall and links to it as the major pedestrian hub of the CBD.
- 22.1.1.8 To respect the unique character of the Hobart CBD and maintain the streetscape and townscape contribution of places of historic cultural heritage significance.
- 22.1.1.9 To provide a safe, comfortable and enjoyable environment for workers, residents and visitors through the provision of high quality spaces and urban design.

22.1.2 Local Area Objectives

There are no Local Area Objectives for this Zone.

22.1.3 Desired Future Character Statements

There are no Desired Future Character Statements for this Zone.

22.2 Use Table

No Permit Required	
Use Class	Qualification
Any permitted use	Only if replacing an existing use on the site and there is no associated development requiring a permit
Residential	Only if home-based business
Utilities	Only if minor utilities
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	Except if within the Active Frontage Overlay (Figure 22.1) and the ground floor frontage is greater than 4m.
Food services	Except if a take away food premises with a drive through facility.
General retail and hire	Except if adult sex product shop, or a supermarket with a floor area greater than 400m ² .
Hotel industry	Except if Adult Entertainment Venue.
Passive recreation	
Residential	Except if No Permit Required. Only if above ground floor level (except for access).
Research and development	Only if above ground floor level (except for access) within the Active Frontage Overlay (Figure 22.1)
Sports and recreation	Only if above ground floor level, (except for access)
Tourist operation	Only if a visitor centre or above ground floor level (except for access) if within the Active Frontage Overlay (Figure 22.1)
Visitor accommodation	Except if a camping and caravan park or overnight camping area Except at ground floor level (except for access) within the Active Frontage Overlay (Figure 22.1)
Discretionary	
Use Class	Qualification
Bulky goods sales	Except at ground floor level (except for access) within the Active Frontage Overlay (Figure 22.1)
Custodial facility	Only if a remand centre.
Educational and occasional care	Except if Permitted.
Emergency services	
Equipment and machinery sales and hire	Except if within the Active Frontage Overlay (Figure 22.1)
Food services	Except if permitted Unless a take away food premises with a drive through facility within the Active Frontage Overlay (Figure 22.1)
General retail and hire	Except if permitted
Hospital services	Except at ground floor level (except for access) within the Active Frontage Overlay (Figure 22.1)

Hotel industry	Except if permitted
Manufacturing and processing	Except at ground floor level within the Active Frontage Overlay (Figure 22.1)
Natural and cultural values management	
Research and development	Except if permitted.
Residential	Except if No Permit Required or Permitted.
Service industry	Only if an extension to an existing use.
Sports and recreation	Except if permitted
Storage	Except at ground floor level (except for access) within the Active Frontage Overlay (Figure 22.1) Except if liquid and solid fuel depot
Tourist operation	Except if permitted
Transport depot and distribution	Only if for public transport facilities.
Utilities	Except if No Permit Required.
Vehicle fuel sales and service	Except if within the Active Frontage Overlay (Figure 22.1)
Vehicle parking	
Visitor accommodation	Except if camping and caravan park or overnight camping area Except if permitted
Prohibited	
Use Class	Qualification
All other uses	

22.3 Use Standards**22.3.1 Hours of Operation**

Objective:	
To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
A1	P1
Hours of operation of a use within 50 m of a residential zone must be within:	Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.
(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;	
(b) 7.00 am to 9.00 pm Sundays and Public Holidays.	
except for office and administrative tasks.	

22.3.2 Noise

Objective:	
To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
A1	P1
Noise emissions measured at the boundary of a residential zone must not exceed the following:	Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.
(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;	
(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;	
(c) 65dB(A) (LAmix) at any time.	
Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.	
Noise levels are to be averaged over a 15 minute time interval.	

22.3.3 External Lighting

Objective:	
To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
A1	P1
External lighting within 50 m of a residential zone must comply with all of the following:	External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:
(a) be turned off between 11:00 pm and 6:00 am, except for security lighting;	(a) level of illumination and duration of lighting;
(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	(b) distance to habitable rooms in an adjacent dwellings.

22.3.4 Commercial Vehicle Movements

Objective:	
To ensure that commercial vehicle movements do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays.</p>	<p>P1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>
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22.3.5 Adult Entertainment Venues

<p>Objective:</p>	
<p>To ensure that impacts on the amenity of surrounding areas resulting from the operation of adult entertainment venues are kept to a minimum.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The title boundary of the land on which the use is to occur must be at least 200m (in a straight line distance) from the Inner Residential Zone or the title boundary of land on which there is a use for any of the following:</p> <p>(a) residential;</p> <p>(b) a primary school;</p> <p>(c) a secondary school;</p> <p>(d) a child care centre;</p> <p>(e) a crèche;</p> <p>(f) a place of worship;</p> <p>(g) bed and breakfast accommodation;</p> <p>(h) a playground;</p> <p>(i) any other use if it is regularly frequented by children for recreational or cultural purposes.</p>	<p>P1</p> <p>The 200m distance may be decreased if it can be demonstrated that the use will not have a detrimental effect upon the amenity of the Inner Residential Zone or the activities of the uses listed through:</p> <p>(a) noise and disturbance generated:</p> <p>(i) from within the entertainment venue itself; or</p> <p>(ii) by patrons arriving at or departing from the venue; or</p> <p>(iii) prospective patrons outside the venue;</p> <p>having regard to the potential conflict between the hours of operation of the venue and the and the hours of operation of the surrounding uses and the retention of residential amenity for the time of day and night; and</p> <p>(b) the impact on pedestrian activity and volumes generated by the venue on the patterns, safety, convenience and comfort of pedestrian movement associated with both those uses or the function, role and user characteristics (in particular minors) of the footpaths around the site as pedestrian routes.</p>
<p>A2</p> <p>The use must not occupy a room or space having ground floor frontage onto a street or be directly visible from the street.</p>	<p>P2</p> <p>No performance criteria.</p>
<p>A3</p> <p>No form of public address or sound amplification should be audible from outside the building.</p>	<p>P3</p> <p>No performance criteria.</p>
<p>A4</p> <p>Any sign must only indicate the name of the business using text. No graphics or images are to be used.</p>	<p>P4</p> <p>No performance criteria.</p>

22.3.6 Take-away Food Premises

<p>Objective:</p>

To ensure that impacts on the amenity of surrounding areas resulting from late night operation of take-away food premises are kept to a minimum.

Acceptable Solutions**Performance Criteria****A1**

Hours of operation must be within 7.00am to 12.00am.

P1

The hours of operation of take-away food premises must not result in direct or indirect disturbance or unreasonable loss of amenity to the surrounding area or occupiers of nearby property due to noise emissions, movement of vehicles or patrons, level of activity or late night activity.

22.3.7 Hotel Industries**Objective:**

To ensure that impacts on the amenity of surrounding areas resulting from late night operation of hotel industry uses are kept to a minimum.

Acceptable Solutions**Performance Criteria**

<p>A1</p> <p>Hours of operation must be within 7.00am to 12.00am.</p>	<p>P1</p> <p>The operation of Hotel Industry uses must not have an unreasonable impact on the amenity and safety of the surrounding uses, having regard to the following:</p> <ul style="list-style-type: none"> (a) the hours of operation and intensity of the proposed use; (b) the location of the proposed use and the nature of surrounding uses and zones; (c) the impact of the proposed use on the mix of uses in the immediate area; (d) the impacts of lightspill; (e) possible noise impacts and proposed noise attenuation measures; (f) Crime Prevention Through Environmental Design including: <ul style="list-style-type: none"> (i) reducing opportunities for crime to occur; (ii) providing safe, well designed buildings; (iii) minimising the potential for vandalism and anti-social behaviour; (iv) promoting safety on neighbouring public and private land. <p>A 'Hotel Industry Impact Assessment' must be submitted addressing the following issues if relevant:</p> <ul style="list-style-type: none"> (a) A description of the proposed use, hours of operation and type and duration/frequency of music/entertainment; (b) location of music performance areas or speakers, external doors and windows, any other noise sources, and waste storage areas; (c) details of entry points, external areas for smokers and a waste management plan; (d) the nature and location of surrounding uses, and for non residential uses their hours of operation, and a written description of the site context; (e) details of the proposed management of noise in relation to noise sensitive areas within audible range of the premises, including residential uses and accommodation and associated private open space; (f) a summary of the consultation with immediate adjoining landowners/occupiers and proposed measures to address any concerns; (g) the location of lighting within the boundaries of the site, security lighting outside the licensed premise and any overspill of lighting; (h) impacts on traffic and parking; (i) Crime Prevention Through Environmental Design (CPTED) Principles including: <ul style="list-style-type: none"> (i) reducing opportunities for crime to occur; (ii) providing safe, well designed buildings; (iii) minimising the potential for vandalism and anti-social behaviour; (iv) promoting safety on neighbouring public and private land. (j) any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises during and after opening hours.
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22.3.8 Manufacturing and Processing Uses

Objective:	
To ensure that impacts on the amenity of surrounding areas resulting from manufacturing and processing uses are kept to a minimum.	
Acceptable Solutions	Performance Criteria
A1 Manufacturing and processing uses must not: (a) entail the storage of goods, materials or waste, other than for retail sale, that are visible from any dwelling, public street or public place; or (b) entail the delivery or removal from the development of goods or materials aggregating 50 tonnes or more weight in any 24 hour period; or (c) entail the manufacture or storage in bulk of explosive, flammable or other dangerous materials.	P1 Manufacturing and processing uses must not cause significant direct or indirect environmental risk or effects or result in unreasonable loss of amenity to the surrounding area or occupiers of nearby property due to noise or particle emissions or the movement of vehicles.

22.4 Development Standards for Buildings and Works**22.4.1 Building Height**

Objective:	
To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
Acceptable Solutions	Performance Criteria
A1 Building height within the Central Business Core Area in Figure 22.2 must be no more than: <ul style="list-style-type: none"> (a) 15m if on, or within 15m of, a south-west or south-east facing frontage; (b) 20m if on, or within 15m of, a north-west or north-east facing frontage; (c) 30m if set back more than 15m from a frontage; unless an extension to an existing building that: <ul style="list-style-type: none"> (i) is necessary solely to provide access, toilets, or other facilities for people with disabilities; (ii) is necessary to provide facilities required by other legislation or regulation. 	P1 Development: <ul style="list-style-type: none"> (a) contained within the Amenity Building Envelope illustrated in Figure 22.3 must demonstrate through siting, bulk and design that it does not significantly adversely impact on the streetscape and townscape values of the surrounding area; (b) outside the Amenity Building Envelope illustrated in Figure 22.3 must only be approved if: <ul style="list-style-type: none"> (i) it provides overriding benefits in terms of economic activity and civic amenities, unless an extension to an existing building that already exceeds the Amenity Building Envelope; and (ii) the siting, bulk and design does not significantly negatively impact on the streetscape and townscape of the surrounding area; and (iii) the design demonstrates that it will minimise unacceptable wind conditions in adjacent streets; and (iv) for city blocks with frontage to a Solar Penetration Priority Street in Figure 22.2, the overshadowing of the public footpath on the opposite side of the Solar Penetration Priority Street is not increased between the hours of 11am and 3pm at the spring or autumn equinox compared with the existing situation.
A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	P2 Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.
A3 Building height within the Central Business Fringe Area in Figure 22.2 must be no more than: <ul style="list-style-type: none"> (a) 11.5m and a maximum of 3 storeys; (b) 15m and a maximum of 4 storeys, if the development provides at least 50% of the floor space above ground floor level for residential use; unless an extension to an existing building that: <ul style="list-style-type: none"> (i) is necessary solely to provide access, toilets, or other facilities for people with disabilities; (ii) is necessary to provide facilities required by other legislation or regulation. 	P3 <ul style="list-style-type: none"> (a) The siting, bulk and design of development must respect the transition between the core area of the Central Business Zone and adjacent zones and must not have a materially adverse impact on the streetscape and townscape of the surrounding area; (b) Development outside the Amenity Building Envelope illustrated in Figure 22.3 must only be approved if: <ul style="list-style-type: none"> (i) it provides overriding benefits in terms of economic activity and civic amenities, unless an extension to an existing building that already exceeds the Amenity Building Envelope; and (ii) the design demonstrates that it will minimise unacceptable wind conditions in adjacent streets; and (iii) overshadowing of the public footpath on the opposite side of the street is not unreasonable.

<p>A4</p> <p>Building height of development on the same site as a place listed in the Historic Heritage Code and directly behind that place must:</p> <p>(a) not exceed 2 storeys or 7.5m higher (whichever is the lesser) than the building height of any heritage building within the place, and be set back between 5m and 10m from the place (refer figures 22.4 i and 22.4 ii); and</p> <p>(b) not exceed 4 storeys or 15m higher (whichever is the lesser) than the building height of any heritage building within the place, and be set back more than 10m from the place (refer figures 22.4 i and 22.4 ii);</p> <p>or</p> <p>(c) comply with the building height in clauses 22.4.1 A1 and A2;</p> <p>whichever is the lesser.</p>	<p>P4</p> <p>Development on the same site as a place listed in the Historic Heritage Code and directly behind that place must:</p> <p>(a) be designed, sited, arranged, finished, constructed or carried out so as to not unreasonably detract from those characteristics of the place which contribute to its historic cultural heritage significance; and</p> <p>(b) for city blocks with frontage to a Solar Priority Street in Figure 22.2, not exceed the Amenity Building Envelope illustrated in Figure 22.3, unless it can be demonstrated that the overshadowing of the public footpath on the opposite side of the street is not increased between the hours of 11am and 3pm at the spring or autumn equinox compared with the existing situation.</p>
<p>A5</p> <p>Building height of development within 15m of a frontage and not separated from a place listed in the Historic Heritage Code by another building, full lot (excluding right of ways and lots less than 5m width) or road (refer figure 22.5 i), must:</p> <p>(a) not exceed 1 storey or 4m (whichever is the lesser) higher than the facade building height of a heritage building on the same street frontage (refer figure 22.5 ii); and</p> <p>(b) not exceed the facade building height of the higher heritage building on the same street frontage if the development is between two heritage places (refer figure 22.5 ii);</p> <p>or</p> <p>(c) comply with the building height in Clauses 22.4.1 A1 and A2;</p> <p>whichever is the lesser.</p>	<p>P5</p> <p>Building height within 15m of a frontage and not separated from a place listed in the Historic Heritage Code by another building, full lot (excluding right of ways and lots less than 5m width) or road (refer figure 22.5 i), must:</p> <p>(a) not unreasonably dominate existing buildings of cultural heritage significance; and</p> <p>(b) not have a materially adverse impact on the historic cultural heritage significance of the heritage place;</p> <p>(c) for a site fronting a Solar Priority Street in Figure 22.2, not exceed the Amenity Building Envelope illustrated in Figure 22.3, unless it can be demonstrated that the overshadowing of the public footpath on the opposite side of the street is not increased between the hours of 11am and 3pm at the spring or autumn equinox compared with the existing situation.</p>

22.4.2 Setback

<p>Objective:</p> <p>To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.</p>	
<p>Acceptable Solutions</p> <p>A1</p> <p>Building setback from frontage must be parallel to the frontage and must be no more than:</p> <p>0 m</p>	<p>Performance Criteria</p> <p>P1</p> <p>Building setback from frontage must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</p> <p>(c) enhance the characteristics of the site, adjoining lots and the streetscape;</p> <p>(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;</p> <p>(e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.</p>

<p>A2</p> <p>Building setback from a residential zone must be no less than:</p> <p>(a) 6 m;</p> <p>(b) half the height of the wall,</p> <p>whichever is the greater.</p>	<p>P2</p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <p>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;</p> <p>(b) overlooking and loss of privacy;</p> <p>(c) visual impact when viewed from adjoining lots,</p> <p>taking into account aspect and slope.</p>
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22.4.3 Design

<p>Objective:</p> <p>To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade;</p> <p>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade;</p> <p>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) not include security shutters over windows or doors with a frontage to a street or public place;</p>	<p>P1</p> <p>Building design must enhance the streetscape by satisfying all of the following:</p> <p>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</p> <p>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</p> <p>(c) treat large expanses of blank wall in the front façade and facades facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) be consistent with any Desired Future Character Statements provided for the area.</p>
<p>A2</p> <p>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>No Performance Criteria.</p>

<p>A3</p> <p>The facade of buildings constructed within 15m of a frontage and not separated from a place listed in the Historic Heritage Code by another building, full lot (excluding right of ways and lots less than 5m width) or road (refer figure 22.5 i), must:</p> <p>(a) include building articulation to avoid a flat facade appearance through evident horizontal and vertical lines achieved by setbacks, fenestration alignment, design elements, or the outward expression of floor levels; and</p> <p>(b) have any proposed awnings the same height from street level as any awnings of the adjacent heritage building.</p>	<p>P3</p> <p>The facade of buildings constructed within 15m of a frontage and not separated from a place listed in the Historic Heritage Code by another building, full lot (excluding right of ways and lots less than 5m width) or road (refer figure 22.5 i), must:</p> <p>(a) be of a design sympathetic to the elevational treatment and materials of the existing heritage building; and</p> <p>(b) not unreasonably detract from the historic cultural heritage significance of the existing heritage place.</p>
<p>A4</p> <p>For new buildings or alterations to existing façades within the Active Frontage Overlay (Figure 22.1) provide windows with clear glazing and door openings at ground floor level in the front façade and façades facing other public space boundaries no less than 80% of the surface area;</p>	<p>P4</p> <p>Provide windows in the front façade in a way that enhances the streetscape, provides for an active street frontage and passive surveillance of public spaces.</p>
<p>A5</p> <p>For new buildings or alterations to existing façades within the Active Frontage Overlay (Figure 22.1) awnings must be provided over public footpaths.</p>	<p>P5</p> <p>Awnings may not be provided over the public footpath only if there is no benefit to the streetscape or pedestrian amenity.</p>

22.4.4 Passive Surveillance

<p>Objective:</p> <p>To ensure that building design provides for the safety of the public.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade;</p> <p>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade;</p> <p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p>	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <p>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</p> <p>(b) locate windows to adequately overlook the street and adjoining public spaces;</p> <p>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</p> <p>(d) locate external lighting to illuminate any entrapment spaces around the building site;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>

22.4.5 Landscaping

Landscaping is not regulated in this zone in this planning scheme. It is not considered necessary in the Hobart context.

22.4.6 Outdoor Storage Areas

<p>Objective:</p> <p>To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.</p>	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <p>(a) be located behind the building line;</p> <p>(b) all goods and materials stored must be screened from public view;</p> <p>(c) not encroach upon car parking areas, driveways or landscaped areas.</p>	<p>P1</p> <p>Outdoor storage areas for non-residential uses must satisfy all of the following:</p> <p>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</p> <p>(b) not encroach upon car parking areas, driveways or landscaped areas.</p>
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22.4.7 Fencing

<p>Objective:</p> <p>To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Fencing must comply with all of the following:</p> <p>(a) fences, walls and gates of greater height than 1.5m must not be erected within 4.5m of the frontage;</p> <p>(b) fences along a frontage must be at least 50% transparent above a height of 1.2m;</p> <p>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1m and must not contain barbed wire.</p>	<p>P1</p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <p>(a) the height of the fence;</p> <p>(b) the degree of transparency of the fence;</p> <p>(c) the location and extent of the fence;</p> <p>(d) the design of the fence;</p> <p>(e) the fence materials and construction;</p> <p>(f) the nature of the use;</p> <p>(g) the characteristics of the site, the streetscape and the locality, including fences;</p> <p>(h) any Desired Future Character Statements provided for the area.</p>

22.4.8 Pedestrian Links

<p>Objective:</p> <p>To ensure that the existing network of malls, arcades and through-site links is maintained.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Existing malls, arcades and through-site links must be retained.</p>	<p>P1</p> <p>Building design must comply with all of the following;</p> <p>(a) Opportunities for through site pedestrian links are not reduced;</p> <p>(b) Connections are provided to existing malls and arcades.</p>

22.5 Development Standards for Subdivision**22.5.1 Subdivision**

Objective:	
To provide for lots with appropriate area, dimensions, services, roads and access to public open space to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements.	
Acceptable Solutions	Performance Criteria
A1 The size of each lot must be no less than: 45 m ² . except if for public open space, a riparian reserve or utilities.	P1 The size of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with one of the following; (a) clear of the frontage, side and rear boundary setbacks; (b) clear of easements; (c) clear of title restrictions that would limit or restrict the development of a commercial building; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 4.5 m x 10 m in size.	P2 The design of each lot must contain a building area able to satisfy all of the following: (a) be reasonably capable of accommodating use and development consistent with Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements; (b) provides for sufficient useable area on the lot for on-site parking and maneuvering, unless adequate arrangements are made for suitable alternative solutions to future likely demand generated by the development potential of the lot; (c) minimises the need for earth works, retaining walls, and cut & fill associated with future development.
A3 The frontage for each lot must be no less than: 4.5 m.	P3 The frontage of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.
A4 No Acceptable Solution.	P4 The arrangement of roads within a subdivision must satisfy all of the following: (a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot; (b) accords with any relevant road network plan adopted by the Planning Authority; (c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary; (d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.
A5 Each lot must be connected to services adequate to support the likely future use and development of the land.	P5 No Performance Criteria.
A6 No Acceptable Solution.	P6 Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.

Figure 22.1 Active Frontage Overlay

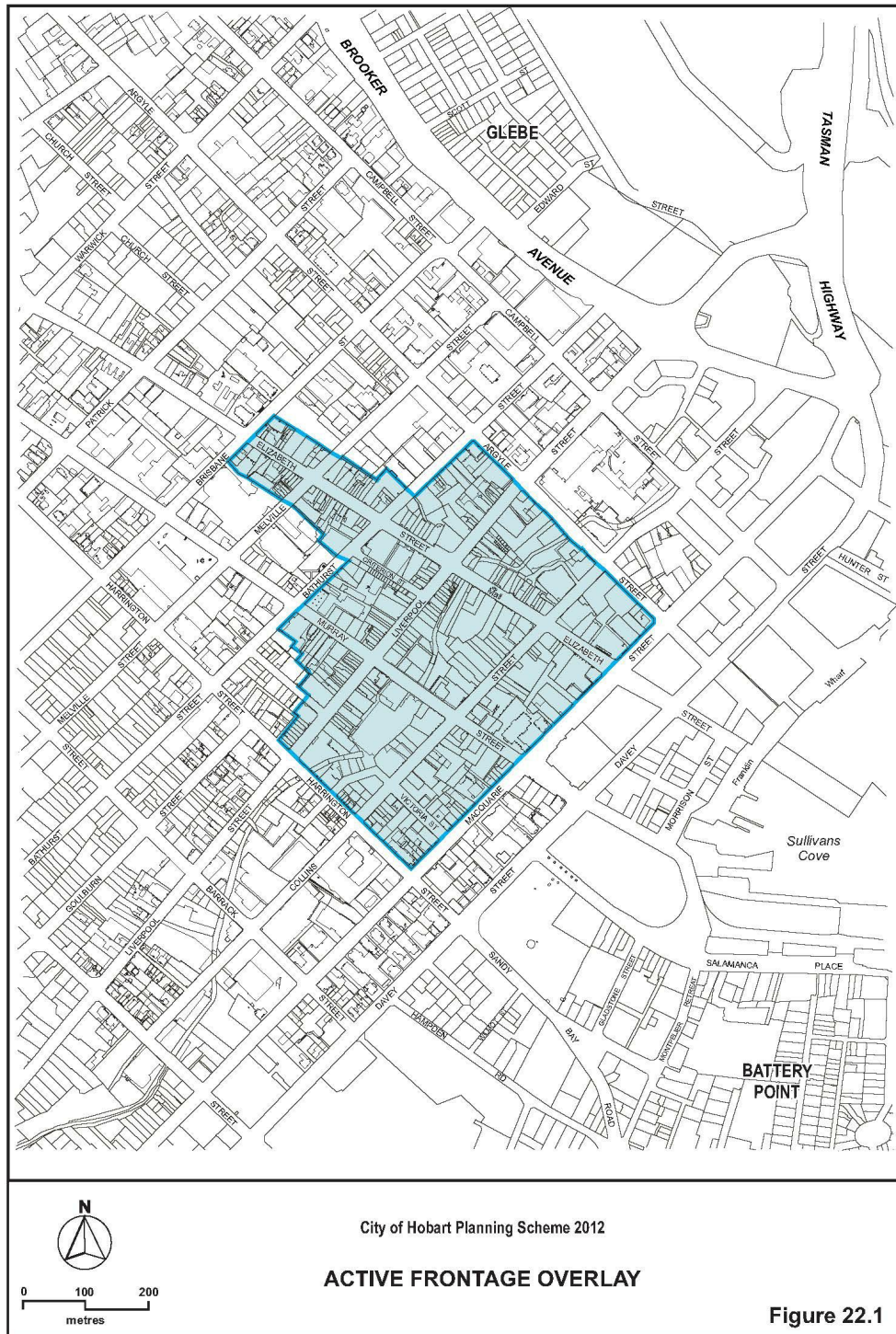


Figure 22.2 Central Business Zone Height Areas

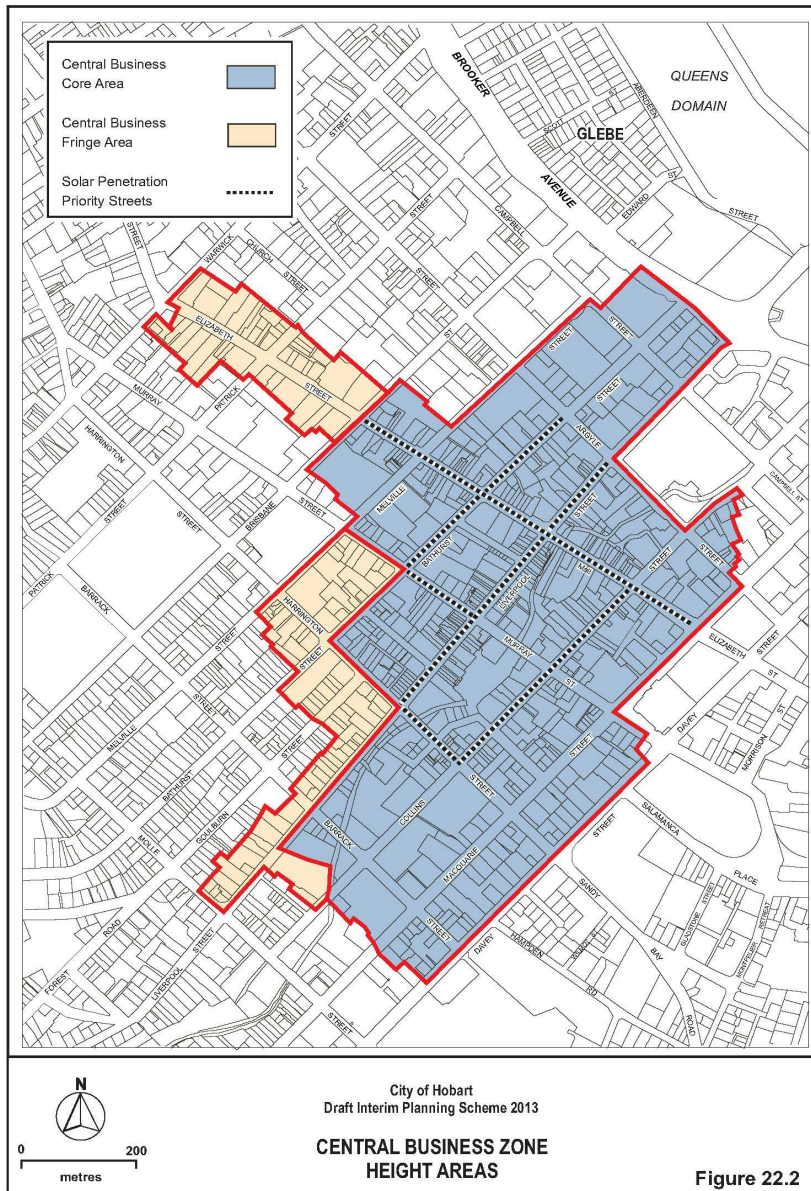
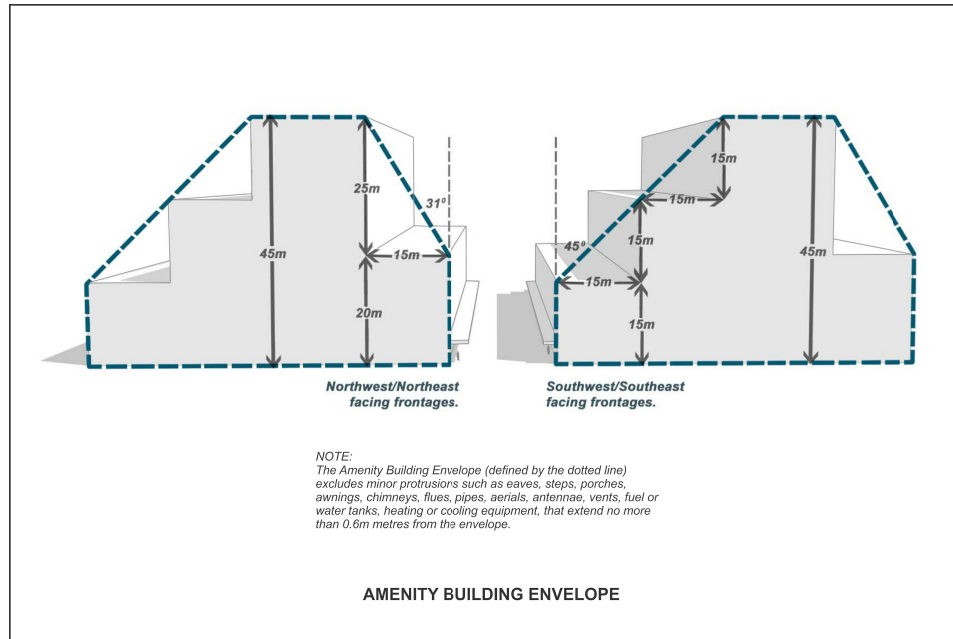


Figure 22.3 Amenity Building Envelope**Footnotes**

The Amenity Building Envelope has been developed with regard to heritage, streetscape and sense of scale, wind tunneling effects and solar penetration.

The 20m height at the northwest/northeast facing frontages maintains a 1:1 ratio of street:building height for the purposes of townscape aesthetics and maintaining a human scale.

The 15m height and subsequent 45 degree building envelope angle at southwest/southeast facing frontages maintains sufficient solar penetration to the opposite side of the street and also helps to control air and wind turbulence.

The Amenity Building Envelope is shown by the thick dotted line. The 15m setbacks for the 'steps' of development shown within the envelope are suggestive only. Development does not have to comply with the suggested 15m setbacks in order to comply with the envelope.

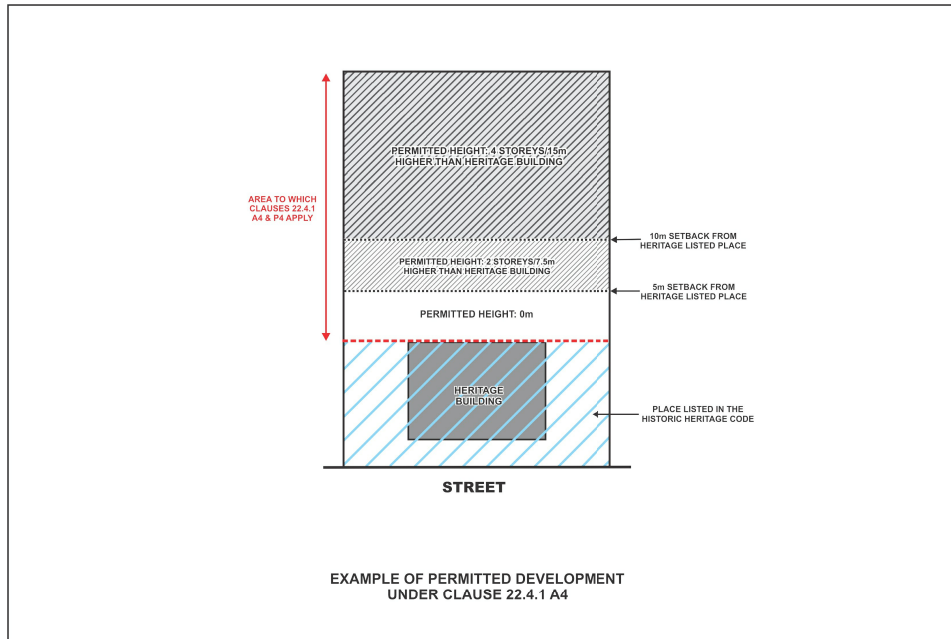
Figure 22.4 i Plan View of Permitted Development Under 22.4.1 A4

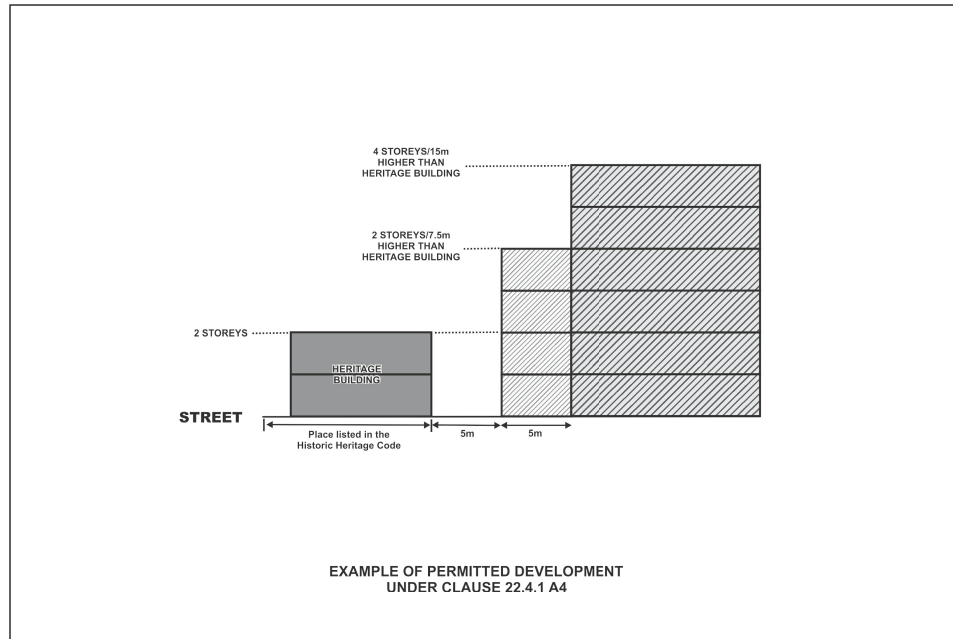
Figure 22.4 ii Elevation View of Permitted Development Under 22.4.1 A4

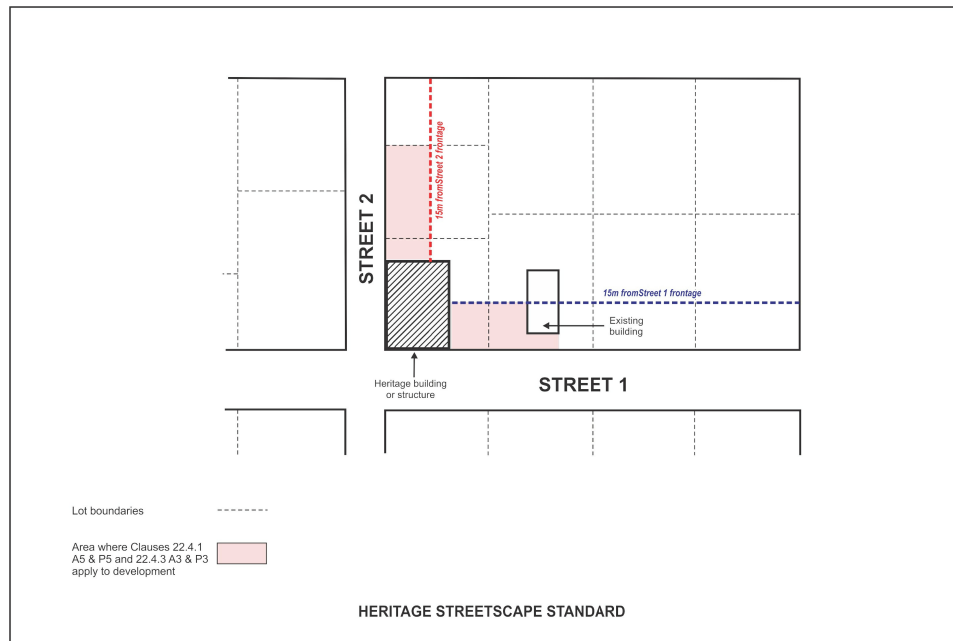
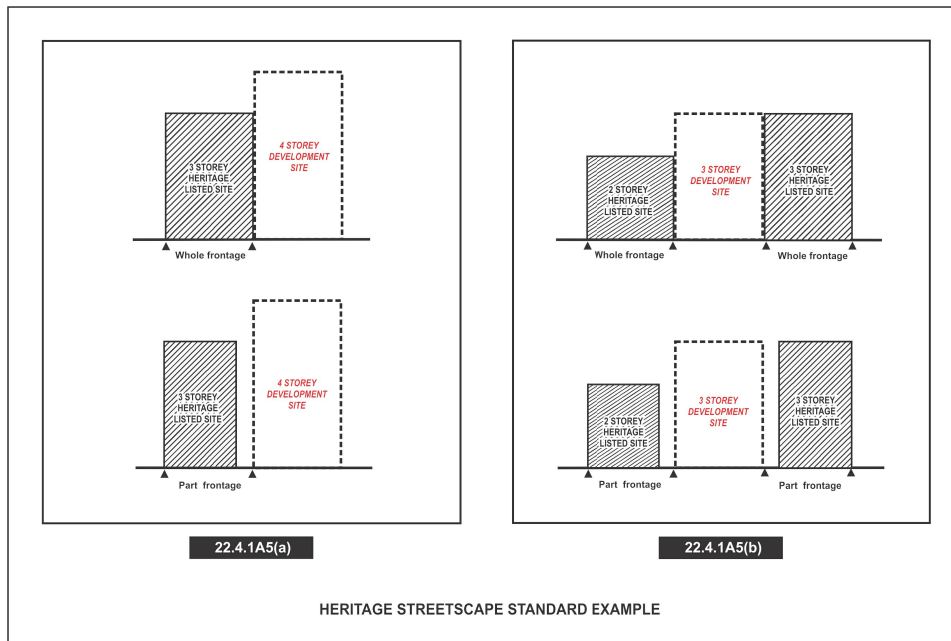
Figure 22.5 i Heritage Streetscape Standard

Figure 22.5 ii Heritage Streetscape Standard Height Example

23.4.1 Building Height

Objective:	
To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
Acceptable Solutions	Performance Criteria
A1 Building height must be no more than: (a) 11.5m high and a maximum of 3 storeys; or (b) 15m high and a maximum of 4 storeys, if the development provides at least 50% of the floor space above ground level for residential use.	P1 Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the scale of nearby buildings; (c) not unreasonably overshadow adjacent public space; (d) allow for a transition in height between adjoining buildings, where appropriate;
A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	P2 Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.

**MOTION OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16
(5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES)
REGULATIONS 2015**

In accordance with Council policy the following Notice of Motion which was amended and adopted by the Economic Development and Communications Committee, is submitted for consideration by the Council.

**12. INSTALLATION OF TRADITIONAL CHRISTMAS TREE IN
SALAMANCA – FILE REFS: 13-1-9 & 13-25-2**

Ref: Open EDCC 5, 23/6/2016

ALDERMAN ZUCCO

“That a report be prepared that provides options for Council to consider the installation of a traditional Christmas tree in Salamanca, and or other parts of the city, for the 2016 season.

The report canvas various options for this to occur and in particular the Council officers liaise with Norske Skog regarding this proposal with an intent to discuss options for a potential sponsorship arrangement that may provide Council with an appropriate tree for this purpose.

Rationale:

As Council is well aware the establishment of a bespoke sculpture tree created significant adverse publicity for Council. After visiting a number of Australian cities prior to and during the Christmas season, in particular the City of Melbourne which has traditional Christmas trees throughout the city over the festive season that have overwhelmingly been embraced by the public, I am of the view that the City of Hobart should revert to installing a traditional tree in Salamanca Square.

The public outcry against the sculpture in Salamanca Square was a sad distraction from what should have been a joyous build up to the festive season. It is our duty as a Council to admit that we could have done better and that in 2016, we will do so and go back to a traditional tree.

Some years ago Council sought Christmas trees from various businesses. I have had some preliminary discussions with Arnold Willems the Fibre, Supply and Logistics Manager from Norske Skog who has indicated he would gladly discuss this proposal and would be interested in pursuing discussions with Council regarding a sponsorship or similar arrangement.

To counter any adverse reaction about the current sculpture and its future use, perhaps it could be installed in a more fitting location, perhaps near the Art School on the waterfront.”

cont.../

Item No. 12 continued**The General Manager reports:**

“That in accordance with Clause 5 of the Notices of Motions procedures, I provide the following qualification as to whether the substance of this Notice of Motion resides within the jurisdiction of the Hobart City Council as it relates to the City of Hobart’s Christmas decorations program.”

CITY INFRASTRUCTURE COMMITTEE

13. FUTURE ROAD RESERVATION PROJECTS – FILE REF: 42-1-3

Ref. Open CIC 5, 22/6/2016

- That:
1. The following road reservation projects be funded from the Road Strategy and Projects budget function and constructed in 2018-2019 within the current three year Capital Works Program:
 - (i) Lansdowne Crescent between 60 Lansdowne Crescent and Allison Street - footpath and drainage improvements, at an estimated cost of \$165,000.
 - (ii) Liverpool Crescent, near 12 Liverpool Crescent – improvements to intersection and pedestrian access, at an estimated cost of \$25,000.
 - (iii) Midwood Street between Tower Road and New Town High School - new kerb and road shoulder sealing, at an estimated cost of \$35,000.
 2. The following project be listed and considered for funding beyond the current three year Capital Works Program:
 - (i) Romilly Street from near 26 Romilly Street to the Romilly Street bridge - new footpath, at an estimated cost of \$450,000.

GOVERNANCE COMMITTEE**14. LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – GENERAL MEETING MOTIONS – FILE REF: 12-50-7**

Ref. Open GC 5, 5/7/2016

That the Council endorse the motions, marked as Attachment A to item 5 of the Open Governance Committee agenda of 5 July 2016, listed for consideration at the Local Government Association of Tasmania General Meeting to be held on Wednesday 20 July 2016, with the following amendments:

- (i) 'Bass Link' cable motion
 - (a) The Hobart City Council support a feasibility study being undertaken in relation to replacement of the Bass Link cable with further consideration to be given to this matter at the conclusion of that process.
 - (b) The State Government explore opportunities for the State to be self-reliant on renewal energy for its power generation.
- (ii) The 'Tourism Infrastructure' funding motion be subject to a clear and transparent application process.
- (iii) The 'Decreased Speed Limit' motion be applied to all motorists who pass an emergency incident.

15. 2016 DELEGATIONS REVIEW – COUNCIL DELEGATIONS TO THE GENERAL MANAGER AND AFFIXATION OF THE COMMON SEAL – FILE REF: 10-4-1

Ref. Open GC 6, 5/7/2016

- That:
- 1. The General Manager be delegated the powers and functions of the Council in accordance with the instruments of delegation marked as Attachment A to item 6 of the Open Governance Committee agenda of 5 July 2016.
 - 2. The Council endorse the delegation in respect to the affixation of the Common Seal in accordance with the instrument of delegation marked as Attachment B to item 6 of the Open Governance Committee agenda of 5 July 2016.
 - 3. Pursuant to Section 124 of the Local Government (Highways) Act 1982 ("the Act"), the Director City Infrastructure and Manager Traffic Engineering be delegated the power to:

cont.../

Item No. 15 continued

- (i) close a local highway or part of a local highway in the municipality pursuant to Section 19(1)(a) of the Act; and
 - (ii) grant exclusive licences to occupy part of a local highway pursuant to Section 19(1)(c) of the Act;
- for a purpose in connection with a public function or in order to facilitate work on land adjoining a local highway.

SPECIAL REPORT – GENERAL MANAGER**16. ALDERMANIC PROFESSIONAL DEVELOPMENT**

The General Manager reports:

“The purpose of this memorandum is to inform the Council of the approval of an application for professional development received in accordance with the policy titled *Alderman Development and Support*.

In accordance with the policy, the General Manager is to inform the Council at the first available ordinary meeting after an application for professional development has been approved, for noting purposes only.

The Deputy Lord Mayor has approved the following professional development:

Lord Mayor Alderman Hickey:

- Australian Institute of Company Directors (AICD)
short course – Applied Risk Governance \$475.00
- AICD short course – Boardroom Financial Acumen \$855.00

Referred for noting.”

17. ALDERMAN COCKER – RESIGNATION FROM THE FINANCE COMMITTEE AND RISK AND AUDIT PANEL – FILE REF: 13-1-2

The General Manager reports:

“Alderman Cocker has advised of his resignation from the Finance Committee and the Risk and Audit Panel. As Alderman Cocker is the Chairman of the Finance Committee, this position also becomes vacant.

In accordance with Section 22 of the *Local Government Act 1993*, the Council is responsible for the appointment of members to its committees. The Council’s policy titled *Meetings: Procedures and Guidelines* provides that the determination of the Chairmen of Council and Special committees is reserved to the Council.

Upon the Council receiving Alderman Cocker’s resignation, the following vacancies will be filled:

1. Member of the Finance Committee;
2. Chairman of the Finance Committee;
3. Member of the Risk and Audit Panel.

Nominations will be sought at the Council meeting to fill these vacancies.

The *Local Government (Meeting Procedures) Regulations 2015*, Regulation 27(4) provides that voting at a meeting may be conducted by secret ballot if the purpose is to select a person to represent the Council on a committee or other body.

Recommendation:

- That:
1. The Council receive and note the resignation of Alderman Cocker from the Finance Committee and the Risk and Audit Panel.
 2. Nominations be called to fill the vacancy of member of the Finance Committee.
 3. Upon determination of the replacement member of the Finance Committee, nominations be invited from Committee members to fill the role of Finance Committee Chairman.
 4. Nominations be called to fill the vacancy of member of the Risk and Audit Panel.

18. CLOSED PORTION OF THE COUNCIL MEETING

The following items were discussed:-

- Item No. 1 Minutes of the Last Meeting of the Closed Portion of the Council Meeting
- Item No. 2 Communication from the Chairman
- Item No. 3 Leave of Absence – File Ref: 13-2-2
LG(MP)R 15(2)(h)
- Item No. 4 Consideration of Supplementary Items to the Agenda
- Item No. 5 Indications of Pecuniary and Conflicts of Interest
- Item No. 6 Christmas Decorations – File Ref: 13-25-2
LG(MP)R 15(2)(d)
- Item No. 7 Public Wi-Fi – File Ref: 42-10-2
LG(MP)R 15(2)(c)
- Item No. 8 Carols by Candlelight – File Ref: 13-23-3
LG(MP)R 15(2)(d)