



# CITY OF HOBART

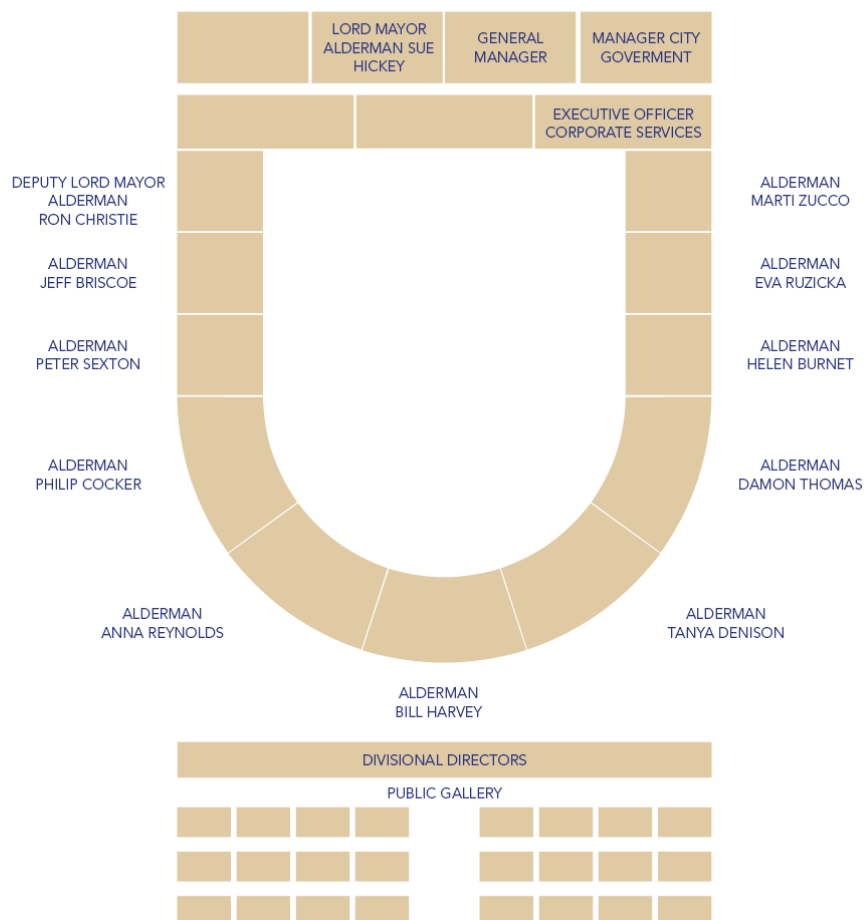
## AGENDA

OPEN PORTION OF THE COUNCIL MEETING

MONDAY, 20 FEBRUARY 2017

AT 5.00 PM





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## **ORDER OF BUSINESS**

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**A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE  
COUNCIL CHAMBER, TOWN HALL ON MONDAY, 20 FEBRUARY 2017 AT  
5.00 PM.**

**N D Heath  
General Manager**

**ALDERMEN:**

Lord Mayor Hickey  
Deputy Lord Mayor Christie  
Alderman Zucco  
Alderman Briscoe  
Alderman Ruzicka  
Alderman Sexton  
Alderman Burnet  
Alderman Cocker  
Alderman Thomas  
Alderman Reynolds  
Alderman Denison  
Alderman Harvey

**APOLOGIES:** Nil

**LEAVE OF ABSENCE:**

Alderman Denison

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 6 February 2017](#), 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**

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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**

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**4. NOTIFICATION OF COUNCIL WORKSHOPS**

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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: 8 February 2017  
Purpose: The Taste of Tasmania Aldermanic

Date: 14 February 2017  
Purpose: Glenorchy to Hobart Public Transport Corridor Project

Date: 15 February 2017  
Purpose: City of Hobart Art Prize

## **5. PUBLIC QUESTION TIME**

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## **6. PETITIONS**

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## **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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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 General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

## **8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Aldermen are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

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## REPORTS OF COMMITTEES

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### CITY PLANNING COMMITTEE

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#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

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In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

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

The Council is reminded that in order to comply with Regulation 25(2), the 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 Hobart Interim Planning Scheme 2015 - Planning Scheme Amendment PSA-16-9 - 125 Swanston Street, New Town - consideration of representations File Ref: F16/141361

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Ref: Open [CPC 7.1.1](#), 14/2/2017

That pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-16-9 Amendment to the Hobart Interim Planning Scheme 2015 not be finally approved, for the following reason:

The adverse impact on the amenity of the owner of 12/125 Swanston Street.

##### 9.2 2 Davies Avenue, Hobart - Partial Demolition, Works and Lighting PLN-16-1221 - File Ref: F17/10608

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Ref: Open [CPC 7.1.2](#), 14/2/2017  
Application Expiry Date: 9 March 2017  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, works and lighting at 2 Davies Avenue, Hobart for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 14 February 2017, and a permit containing the following conditions be issued:

## GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1221 - 2 Davies Avenue Hobart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

## ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

## BUILDING PERMIT

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

### **9.3 54 King Street, Sandy Bay - Partial Demolition, Alterations, Extension, Partial Change of Use to Shop, and Signage PLN-16-1235 - File Ref: F17/13931**

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Ref: Open [CPC 7.1.3](#), 14/2/2017  
Application Expiry Date: 3 March 2017  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, partial change of use to shop, and signage at 54 King Street, Sandy Bay for the reasons outlined in the officer's report attached to supplementary item 7.1.3 of the Open City Planning Committee agenda of 14 February 2017, and a



permit containing the following conditions be issued:

#### GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-16-1235 - 54 King Street, Sandy Bay, TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

#### TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/01917-HCC dated 22 December 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

#### PLN 10

The ground based panel sign (shown as sign D on the submitted plans) must not be flashing or intermittently illuminated.

Reason for condition

To clarify the scope of the permit.

#### PLN 14

Commercial vehicle movements, including deliveries to the site and removal of garbage, must be limited to within the hours of:

- a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;
- b) 7.00 am to 9.00 pm Sundays and public holidays

Reason for the condition

To ensure that commercial vehicle movements do not have unreasonable impact on residential amenity on land within the nearby inner residential zone.

#### PLN 3

Adequate storage space for rubbish for both the restaurant and shop uses must be provided on the lot either within the building or externally, appropriately screened from public view.

Drawings must be submitted and approved, prior to the commencement of works. The drawings must show the size and location of the storage area and, if external to the building show details of the screening including materials and height to satisfy the above requirement.

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

*Advice: Once the drawings have 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 rubbish bins do not impact on the amenity of the locality, and to ensure compliance with the outdoor storage standards in the *Hobart Interim Planning Scheme 2015*.

PLN s2

Walls of the building facing the inner residential zone (ie. the western facade) must be coloured using colours with a light reflectance value not greater than 40 percent, prior to the commencement of use.

Plans submitted for building approval must specify the light reflectance value of the western facade in accordance with this requirement.

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

*Advice: Once the plan 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 building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.

ENG 7

At least one dedicated bicycle parking space (Class 3 - facilities to which

the bicycle frame and wheels can be locked) is required on the site for the general retail and hire (shop) use. The facility must be publicly accessible at the front of the lot and clearly labelled for customer use prior to the commencement of the use. (Reference: AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.)

Drawings must be submitted and approved, prior to the first occupation. The drawing must:

1. Show the position and design of the bicycle parking to satisfy the above requirement.

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

*Advice: Once the 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 safe and efficient parking adequate to provide for the use.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

#### ENV 1

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

*Advice: For further guidance in preparing a Soil and Water Management Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to [www.hobartcity.com.au](http://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.

#### ENVHE 2

A contamination Environmental Site Assessment report prepared by a suitably qualified and experienced person in accordance with the procedures and practices detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) as amended 2013 must be submitted to Council prior to the issue of any building consent under the *Building Act 2016*.

The report must conclude:

- Whether any site contamination presents a risk to workers involved in redevelopment of the site, or future users of the site, as a result of proposed excavation of the site;
- Whether any site contamination presents an environmental risk from excavation conducted during redevelopment of the site;
- Whether any specific remediation and/or protection measures are required to ensure proposed excavation does not adversely impact

human health or the environment before excavation commences;  
Based on the results of the Environmental Site Assessment that the excavation as part of the planned works will not adversely impact on human health or the environment (subject to implementation of any identified remediation and/or protection measures as required).

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted prior to the issue of any building consent under the *Building Act 2016*. Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to prevent off-site transfer of potentially-contaminated soil or stormwater.

The development must be undertaken in accordance with any remediation and/or management plan required by this condition.

*Advice: The condition above is required due to the absence of information enabling assessment of the proposal against the Potentially Contaminated Land Code of the Hobart Interim Planning Scheme 2015. If a site history prepared by a suitably qualified person that confirms potentially contaminating activities do not impact the site is provided to the Council, the development may be exempt from this Code under clause E2.4.3 of that planning scheme. In that scenario, the above condition may be able to be deleted from this planning permit under S.56 of the Land Use Planning and Approvals Act 1993. Please contact the Development Appraisal Planner on 6238 2715 for further information.*

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#)

for further information.

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

#### CONDITION ENDORSEMENT

If a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition, via the Condition Endorsement Submission on Council's online e-service portal.

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

#### BUILDING PERMIT

Building permit in accordance with the *Building Act 2000*. Click [here](#) for more information.

#### PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

#### PUBLIC HEALTH

Approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

#### FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information.

#### OCCUPATION OF THE PUBLIC HIGHWAY

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



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

Click [here](#) for more information.

#### REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By law. Click [here](#) for more information.

#### NOISE REGULATIONS

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

#### WASTE DISPOSAL

Click [here](#) for information regarding waste disposal.

#### FEES AND CHARGES

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

**10. Glenorchy to Hobart Public Transit Corridor Project - Consultants Report**  
**File Ref: F16/123899; 36-20-1**

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Ref: Open [CPC 8.1](#), 14/2/2017

- That:
1. The Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016) be provided to the State Government.
  2. The Council engage with the State Government in relation to process and opportunities for governance change to help drive urban renewal projects such as proposed with the Glenorchy to Hobart Public Transit Corridor Project.
  3. The Glenorchy to Hobart Public Transit Corridor Study outcomes (GHD Oct 2016) be considered as part of a future City Deal proposal.
  4. A communications strategy be developed in relation to the Glenorchy to Hobart Public Transit Corridor Study Reports (GHD Oct 2016).

**11. European Union World Cities Project**  
**File Ref: F17/11124; 17-50-23**

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Ref: Special Open [CPC 2.1](#), 20/2/2017

A recommendation will be submitted to the meeting.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**  
**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT**  
**(MEETING PROCEDURES) REGULATIONS 2015**

**12. Memorial Plaques on Council Outdoor Furniture**  
**File Ref: F16/126012**

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Ref: Open [PRC 7.1](#), 9/2/2017

Lord Mayor Alderman Sue Hickey

**Motion:**

That a report be provided to review Council's current policy on plaques secured / affixed to infrastructure.

**Rationale:**

"Plaques are important in celebrating the achievements of a community and its members, as well as providing historical context for current and future generations and serving as memorials.

The recommendations would need to be costed in such a way, for example, that a durable seat with a plaque would be cost neutral to the Council and that only the on-going maintenance would be borne by the Council.

There is great social and economic benefit to be realised through public investment in Council infrastructure. The social benefit is that an individual, family or group have a sense of belonging and pride in the place they live, work or visit and a physical asset is a tangible way of commemorating a person or an event. The economic value is realised by Council through a reduction in costs associated with purchasing infrastructure.

For the purposes of this motion, the following definition applies for a plaque:

*A flat tablet of metal which includes text and/or images which commemorate an event or a person and/or provide historical or other information relevant to its location. Such a tablet is attached to an object, building or pavement.*

This notice of motion is aligned with the Capital City Strategic Plan 2015-2025:

*Goal 4 – Strong, Safe and Healthy Communities.*

*4.1 Community connectedness and participation realises the cultural and social potential of the community.*

It is considered that the report would:

1. Consider the community benefit for plaques to be used for commemorations and celebrations throughout the City.

2. Address the application process and the commissioning of a standardised plaque to be used in a variety of ways, including the recognition of loved ones; the celebration of a person, event; a gift to the City which celebrates their connection and love of the City. The plaque would be attached to the backrest of an existing or new seat; park bench; gym equipment; barbeques; planting of trees; picnic furniture; shelters; playgroup equipment, etc.
3. Consider the sensitivity required through the management of memorials in managing the expectations of the next of kin and provide a 'customer focussed' notification process should a memorial be damaged, replaced or displaced through redevelopment of an associated site.
4. Explore the opportunity for corporate investment to assist with the provision of the City's recreational infrastructure where a corporation wishes to commemorate its contribution to the Hobart community by donating such infrastructure and having a plaque to recognise the donation.
5. Review local, national and international government policies and identify guidelines to ensure the wording on the plaques is positive and uplifting to effectively commemorate of the individual, event or donation involved. (See images attached).
6. Consider the introduction of the policy detailed above on the basis that the provision of the infrastructure and plaques will be at no cost to the City."

*Images below is examples of plaques that have been installed in Vancouver, Canada*







The General Manager reports:

"In line with the Council's policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it considers a review of the Council's policy titled *Memorial Plaques and Tree Planting in Parks, Bushland and Reserves*."

**PARKS AND RECREATION COMMITTEE**

**13. Tasman Highway Memorial Bridge - Results from Stakeholder Consultations on the Preliminary Concept Design**  
**File Ref: F17/8678**

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Ref: Open [PRC 6.1](#), 9/2/2017

- That: 1. The General Manager authorise the lodgement of a planning application in accordance with Section 52 of the *Land Use Planning and Approvals Act 1993*, for the Tasman Highway Memorial Bridge, marked as Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 9 February 2017.
2. The issues raised by the stakeholders during the consultation process, as outlined within the Inspiring Place report marked as Attachment B to item 6.1 of the Open Parks and Recreation Committee agenda of 9 February 2017, be progressively assessed and addressed in the detailed design of the proposal for construction.

**14. Doone Kennedy Hobart Aquatic Centre Redevelopment - Draft Master Plan 2017 - Community Engagement and Grant Application**  
**File Ref: F17/5486; 33-21-13**

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Ref: Open [PRC 6.2](#), 9/2/2017

- That: 1. The draft Doone Kennedy Hobart Aquatic Centre Redevelopment Master Plan 2017, marked as Attachment A to item 6.2 of the Open Parks and Recreation Committee agenda of 9 February 2017, be endorsed by the Council and released for community feedback.
2. The General Manager be authorised to lodge a grant funding application under the Building Better Regions Fund Infrastructure Projects Stream, for an amount of up to \$10 million to enable implementation of the redevelopment Master Plan to proceed.
3. The Lord Mayor together with the General Manager and/or his representative, champion further grant funding as deemed appropriate.



**15. 19 Lansdowne Crescent, West Hobart (West Hobart Recreation Ground - Oval) - Proposal for a TasNetworks Easement**  
**File Ref: F16/143443; 72-40-1**

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Ref: Open [PRC 6.3](#), 9/2/2017

- That:
1. Council approval be granted to TasNetworks for an easement at 19 Lansdowne Crescent, West Hobart (West Hobart Recreation Ground - Title Reference 137671/1), in accordance with TasNetworks' site and locality plan AS-26231.
  2. The General Manager be authorised to negotiate the terms and conditions of the easement.
  3. TasNetworks undertake all works, documentation and complete the easement registration at its cost.

**16. City of Hobart Draft Street Tree Strategy - Endorsement for Community Engagement**  
**File Ref: F17/6606; 42-1-12**

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Ref: Open [PRC 6.4](#), 9/2/2017

The City of Hobart draft 'Street Tree Strategy 2017', marked as Attachment A to item 6.4 of the Open Parks and Recreation Committee agenda of 9 February 2017, be endorsed by the Council and released for wider community engagement and consultation.

## 17. CLOSED PORTION OF THE MEETING

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The following items were discussed:-

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Communication from the Chairman  |
| Item No. 3 | Leave of Absence   |
| Item No. 4 | Consideration of supplementary Items to the agenda                       |
| Item No. 5 | Indications of pecuniary and conflicts of interest                       |
| Item No. 6 | Proposed Purchase of Part of Land<br>LG(MP)R 15(2)(f)                    |
| Item No. 7 | Proposed Compulsory Acquisition<br>LG(MP)R 15(2)(f)                      |
| Item No. 8 | 2017 Key Priorities<br>LG(MP)R 15(2)(a)                                  |