



CITY OF HOBART

MINUTES

OPEN PORTION
MONDAY, 5 MARCH 2018
AT 5:00 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

PRESENT, APOLOGIES AND LEAVE OF ABSENCE

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

REPORTS OF COMMITTEES 6

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY 6
 - 9.1 32 Davey Street, Hobart - Signage..... 6

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

10. Civic Heritage Area..... 8

CITY INFRASTRUCTURE COMMITTEE

11. Hobart Heritage Tramway Business Plan - Peer Review 13
12. Hobart Municipal Emergency Management Plan 14
13. Request for Installation of Barrier Screen - Outdoor Dining -
Sandy Bay Bakery and Cafe - 166-168 Sandy Bay Road, Sandy
Bay 15

SPECIAL JOINT MEETING

14. Capital Works Program 2018-19 and 10 Year Plan 17
15. CLOSED PORTION OF THE MEETING..... 19

PRESENT:

The Lord Mayor Alderman S L Hickey, The Deputy Lord Mayor Alderman R G Christie, Aldermen M Zucco, J R Briscoe, P T Sexton, H C Burnet, P S Cocker, D C Thomas, A M Reynolds, T M Denison and W F Harvey.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Alderman E R Ruzicka.

Alderman Sexton left the meeting at 5.45 on and returned at 5.47 pm.

Alderman Zucco retired from the meeting at 6.40 pm and was not present for item 15.

1. CONFIRMATION OF MINUTES

The Chairman reported that she had perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 19 February 2018](#), and the minutes of the Open Portion of the Special Joint City Infrastructure Committee, City Planning Committee, Community, Culture and Events Committee, Finance and Governance Committee and Parks and Recreation Committees held on [Tuesday, 27 February 2018](#), and finds them to be a true record and recommends that they be taken as read and signed as a correct record.

CHRISTIE
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Vanessa Goodwin

The Lord Mayor noted the with deep regret the death of former Tasmanian Attorney-General Vanessa Goodwin on Saturday 3 March 2018.

The meeting observed a minutes silence.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

Date: 27/2/2018
Purpose: Aldermanic Code of Conduct.

Date: 27/2/2018
Purpose: Taste of Tasmania.

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION

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

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

The Council is reminded that in order to comply with Regulation 25(2), the 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 32 Davey Street, Hobart - Signage PLN-17-987 - File Ref: F18/15044

Ref: Open [CPC 7.1.1](#), 26/02/2018
Application Expiry Date: 7 April 2018
Extension of Time: Not applicable

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for signage at 32 Davey Street, Hobart for the following reasons:

1. The proposal does not meet the performance criterion with respect to clause 25.11 of the *Sullivans Cove Planning Scheme 1997* because:
 - The sign detracts from the character and heritage value of the listed Place of Cultural Heritage Significance; and
 - The content of the sign represents a modern standardised propriety logo, with no attempt to adapt the colours to suit the specific location and listed Place of Cultural Heritage Significance; and
 - The sign detracts from the original architecture, heritage value and character of the listed Place of Cultural Heritage Significance; and
 - The sign is not located on the listed Place of Cultural Heritage Significance in a position that would traditionally have been used as an advertising area.

2. The proposal does not meet the performance criterion with respect to clause 25.14 of the *Sullivans Cove Planning Scheme 1997* because the sign exceeds the depth (width), and it is not located at a height equivalent to the floor of the first storey of the building.

BRISCOE
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

10. Civic Heritage Area

File Ref: F18/15064; 13-1-10

Ref: Open [CPC 9.1](#), 26/02/2018

That in accordance with Council's policy, the following Notice of Motion, which was lost at the City Planning Committee meeting of 26 February 2018, be referred to the Council.

Alderman Reynolds

Motion:

"That the Council requests a report on whether:

- Hobart City Council could propose a Particular Purpose Zone (PPZ) or Special Area Plan (SAP) for a '*Civic Heritage Area*' encompassing the Treasury buildings, Franklin Square, the Town Hall, the Bond Store, Old Customs House and Maritime Museum.
- The kind of protections and planning guidance that a '*Civic Heritage Area*' PPZ or SAP could provide to these civic buildings and places under the new State-wide Planning Scheme.
- Whether the Council should also consider nominating the Treasury buildings for listing as a National Heritage Place, and what listing criteria could be used for the buildings. The report also set out the steps that would be required for preparing a nomination in time for the next annual round of inclusions in early 2019."

Rationale:

"**A special precinct** - the four Treasury Buildings around their large central courtyard have been the focus of recent discussion as a place for a potential Tasmanian Museum and Art Gallery expansion and other civic uses such as a Visitor Centre.

These Treasury buildings 'bookend' a heritage precinct that includes some of the best examples of Georgian architecture in Australia.

This precinct, encompassing the Treasury buildings, Franklin Square, the Town Hall, the Bond Store, Old Customs House and Maritime Museum sits between Davey and Macquarie Streets, are all in public ownership and play (or have the potential to play) an important role in the civic and cultural life of Hobart."

An opportune time to plan for special areas - The Council is currently in the process of drafting Local Provisions Schedules that will apply to both Hobart and Sullivans Cove.

This is an opportunity for HCC to consider how best to protect heritage values within the municipality.

The Local Historic Heritage Code will not apply to any properties listed on the Tasmanian Heritage Register, which will be the responsibility of the Tasmanian Heritage Council. This means that Council will have no opportunity to consider heritage issues associated with proposed development of buildings like the Treasury buildings.

Given this, it is worth Council understanding the potential of including other provisions to cover the Treasury complex and a broader area in the form of a Particular Purpose Zone – Civic Heritage (PPZ); or Special Area Plan – Civic Heritage Precinct (SAP).

Either option could allow Council to apply a range of development restrictions and considerations in respect of buildings with historic heritage values and civic purposes. The restrictions could apply to development works (e.g. managing impacts on the structure and appearance of the buildings) or use (e.g. encouraging civic uses and preventing incompatible uses).

In order to justify special provisions, Council would need to demonstrate the “unique economic, social or spatial qualities” of the buildings proposed for inclusion, and outline how the generic State Planning Provisions and state heritage act are not enough to protect those values.

Much of the heritage advice that would need to be included to make the case to the Planning Commission for a PPZ or SAP is already available in various reports and conservation plans, and in HCC’s 2016 submissions on the draft State Planning Provisions raising concerns regarding the limited operation of the Local Historic Heritage Code.

A place of National Heritage significance? The criteria for places in the National Heritage List require the place to have “outstanding heritage value to the nation”.

The Treasury building’s status as the only still-functioning government building of its era may be a relevant factor in establishing its value to the nation. Similar buildings currently on the list include the Old Government House and Domain in NSW, and the old and new parliament houses in South Australia.

Given the public interest in the future of these buildings, it is worth the Council investigating whether a nomination for inclusion in the National Heritage List may be appropriate.

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 relates to the administration of planning schemes.”

The City Planning Committee recommends:

That the Council request a report to investigate:

1. Hobart's standing as an Historic Urban Landscape based on the UNESCO's Historic Urban Landscape Model (HUL), including the suburbs of, but not limited to Battery Point, West Hobart, Glebe and extending to the Boa Vista ridge;
2. The merits of developing a Master Plan in partnership with the State Government that encompasses the Treasury buildings, Franklin Square, the Town Hall, the Bond Store, Old Customs House and the Maritime Museum; and
3. Whether the Council should also consider nominating the Treasury buildings for listing as a National Heritage Place, and what listing criteria could be used for the buildings. The report also set out the steps that would be required for preparing a nomination in time for the next annual round of inclusions in early 2019.

BRISCOE
THOMAS

That the recommendation of the City Planning Committee be adopted.

PROCEDURAL MOTION

ZUCCO

That the motion be now put.

The procedural motion lapsed for want of a seconder.

AMENDMENT

REYNOLDS
SEXTON

That at the end of clause 2 add “and any subsequent amendments to the planning scheme to facilitate the Master Plan”.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

MOTION

ZUCCO
BRISCOE

That in future where a Notice of Motion may not be supported at Committee and an alternative resolution is passed by the Committee, the items be listed separately on the Council agenda.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

COUNCIL RESOLUTION:

That the Council request a report to investigate:

1. Hobart's standing as an Historic Urban Landscape based on the UNESCO's Historic Urban Landscape Model (HUL), including the suburbs of, but not limited to Battery Point, West Hobart, Glebe and extending to the Boa Vista ridge;
2. The merits of developing a Master Plan in partnership with the State Government that encompasses the Treasury buildings, Franklin Square, the Town Hall, the Bond Store, Old Customs House and the Maritime Museum and any subsequent amendments to the planning scheme to facilitate the Master Plan, and;
3. Whether the Council should also consider nominating the Treasury buildings for listing as a National Heritage Place, and what listing criteria could be used for the buildings. The report also set out the steps that would be required for preparing a nomination in time for the next annual round of inclusions in early 2019.
4. That in future where a Notice of Motion may not be supported at Committee and an alternative resolution is passed by the Committee, the items be listed separately on the Council agenda.

CITY INFRASTRUCTURE COMMITTEE

11. Hobart Heritage Tramway Business Plan - Peer Review
File Ref: F18/993; F17/109782, 36-20-33

Ref: Open [CIC 6.1](#), 21/02/2018

- That:
1. The peer review of the Hobart Tram Restoration and Museum Society Inc's 'Hobart Heritage Tramway' proposal, dated December 2017 and marked as Attachment B to item 6.1 of the Open City Infrastructure Committee agenda of 21 February 2018, be noted.
 2. The Hobart Tram Restoration and Museum Society Inc be encouraged to revise its business plan, incorporating the suggestions and comment made as a result of the peer review and focus on the establishment of a display facility and restoration garage.
 3. The allocation of funds estimated at \$20,000 be approved, to commission a consultant to prepare a concept plan for the proposed depot and display facility located at Regatta Point on the Queen's Domain to house the heritage trams.

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	Denison
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Harvey	

12. Hobart Municipal Emergency Management Plan
File Ref: F17/159249; 15-30-1

Ref: Open [CIC 6.2](#), 21/02/2018

- That:
1. The draft *City of Hobart Emergency Management Plan Issue 10*, marked as Attachment A to item 6.2 of the Open City Infrastructure Committee agenda of 21 February 2018, be endorsed.
 2. The General Manager be authorised to endorse any subsequent minor amendments.

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

13. Request for Installation of Barrier Screen - Outdoor Dining - Sandy Bay Bakery and Cafe - 166-168 Sandy Bay Road, Sandy Bay
File Ref: F18/8097; R0820

Ref: Open [CIC 6.3](#), 21/02/2018

That in the absence of a recommendation from the City Infrastructure Committee, the matter be referred to the Council for determination.

BURNET
HARVEY

That the recommendation contained in attachment A to item 13 of the Council agenda be adopted.

AMENDMENT

DENISON
THOMAS

That City fund 100 per cent of the cost of installing a barrier screen.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	Harvey
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

COUNCIL RESOLUTION:

- That: 1. The installation of a barrier screen along the back of the kerb adjacent to the Sandy Bay Bakery and Café located at 166-168 Sandy Bay Road, Sandy Bay, be supported, subject to appropriate licence conditions to be determined by the General Manager's nominee.
2. The City fund 100 per cent of the costs for installation of a barrier screen adjacent to the Sandy Bay Bakery.
3. The applicant be advised of the Committee's decision.

SPECIAL JOINT MEETING

14. Capital Works Program 2018-19 and 10 Year Plan
File Ref: F18/17118

Ref: Special Joint Open [CIC, CPC, CCEC, FGC, PRC 4.1](#), 27/02/2018

- That:
1. The Council approve the revised 2018/2019 Capital Works Program as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.
 2. The Council, approve in principle for planning purposes, projects in years two and three as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.
 3. The Council note the projects listed in years four to ten as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.
 4. Funding for the Battery Point Walkway be reviewed in the Capital Works Program 2019-20 and each year thereafter.

CHRISTIE
THOMAS

That the recommendation be adopted.

AMENDMENT

DENISON
COCKER

That a clause 5 be added that reads;

Funding for the City to Cove Link be reviewed in the Capital Works Program 2019-20 and each year thereafter.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	Zucco
Deputy Lord Mayor Christie	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	Zucco
Deputy Lord Mayor Christie	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

COUNCIL RESOLUTION:

- That:
1. The Council approve the revised 2018/2019 Capital Works Program as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.
 2. The Council, approve in principle for planning purposes, projects in years two and three as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.
 3. The Council note the projects listed in years four to ten as shown in Attachment D to item 3.1 of the Special Joint City Infrastructure, City Planning, Community, Culture and Events, Finance and Governance and Parks and Recreation Committees Agenda of 27 February 2018.

4. Funding for the Battery Point Walkway be reviewed in the Capital Works Program 2019-20 and each year thereafter.
5. Funding for the City to Cove Link be reviewed in the Capital Works Program 2019-20 and each year thereafter.

15. CLOSED PORTION OF THE 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 |
| Item No. 4 | Consideration of supplementary Items to the agenda |
| Item No. 5 | Indications of pecuniary and conflicts of interest |
| Item No. 6.1 | 29 Morrison Street, Hobart - PLN-17-614 - Appeal - Mediation
LG(MP)R 15(4)(a) |
| Item No. 7 | General Manager's Key Accountabilities - Contract Variation
LG(MP)R 15(2)(a) |

CHRISTIE
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Briscoe	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

The Chairman adjourned the meeting at 6.36 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6.42 pm.

Item 15 was then taken.

There being no further business the meeting closed at 6.43 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
19TH DAY OF MARCH 2018.

CHAIRMAN