



CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 6 SEPTEMBER 2021
AT 5:00 PM



THE MISSION

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

OUR VALUES

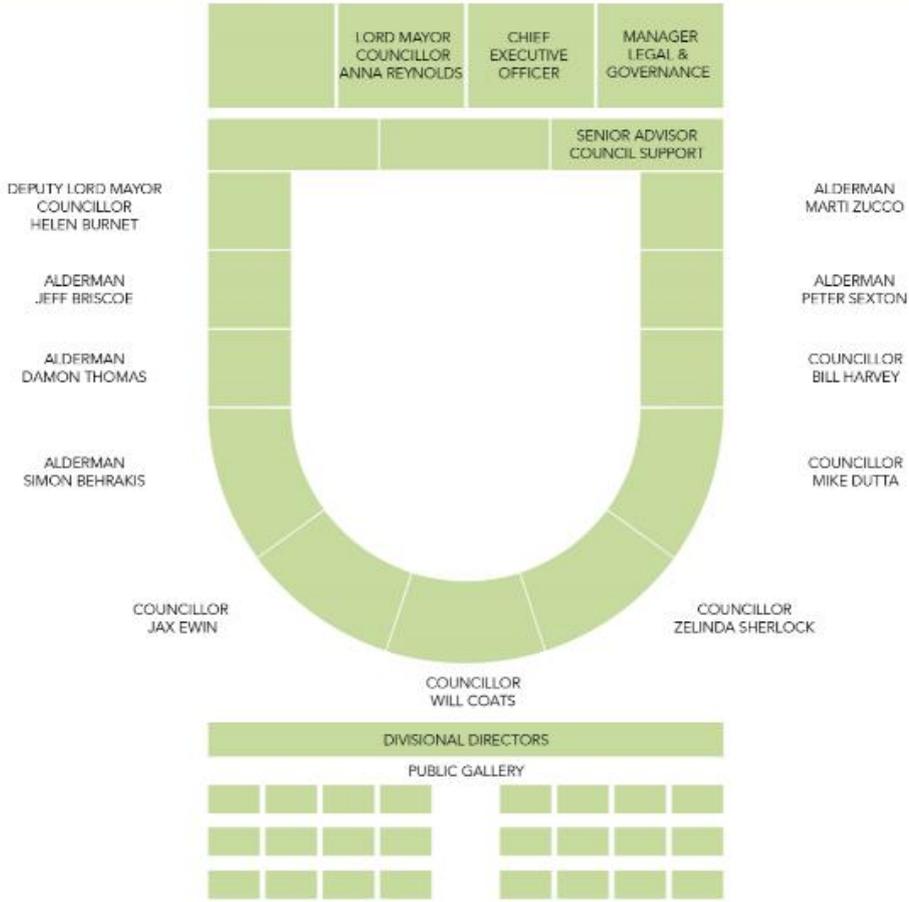
THE COUNCIL IS:

<p>PEOPLE We care about people – our community, customers and colleagues</p>	<p>TEAMWORK We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.</p>	<p>FOCUS AND DIRECTION We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.</p>	<p>CREATIVITY AND INNOVATION We embrace new approaches and continuously improve to achieve better outcomes for our community.</p>	<p>ACCOUNTABILITY We work to high ethical and professional standards and are accountable for delivering outcomes for our community.</p>
-----------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------

VISION

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

Hobart breathes.	Connections between nature, history, culture, businesses and each other are the heart of our city.	We are brave and caring.	We resist mediocrity and sameness.	As we grow, we remember what makes this place special.	We walk in the fresh air between all the best things in life.
------------------	----------------------------------------------------------------------------------------------------	--------------------------	------------------------------------	--------------------------------------------------------	---------------------------------------------------------------



ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

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

REPORTS OF COMMITTEES 7

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY 7
 - 9.1 100 Pinnacle Road, Mount Wellington - New and Upgraded
Shared Use and Mountain Bike Tracks and Associated Works 7

COMMUNITY, CULTURE AND EVENTS COMMITTEE

10. Hobart Current 2023 13
11. Community Commitments Final Endorsement..... 13
12. Tasmania's Own Market - Site Fees 13

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

13. Business Events Tasmania Annual Funding Submission 14
14. CLOSED PORTION OF THE MEETING 15

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 6 SEPTEMBER 2021 AT 5:00 PM.

**Kelly Grigsby
Chief Executive Officer**

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

This meeting of the Council is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

ELECTED MEMBERS:

Lord Mayor A Reynolds
Deputy Lord Mayor H Burnet
Alderman M Zucco
Alderman J R Briscoe
Alderman Dr P T Sexton
Alderman D C Thomas
Councillor W F Harvey
Alderman S Behrakis
Councillor M S C Dutta
Councillor J Ewin
Councillor Dr Z E Sherlock
Councillor W N S Coats

APOLOGIES:

LEAVE OF ABSENCE: Nil.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 23 August 2021](#), 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

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements 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.

5. PUBLIC QUESTION TIME

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

5.1 Public Questions

5.2 Responses to Public Questions Taken On Notice

“In accordance with the procedures approved in respect to Public Questions Time, the following responses to questions taken on notice are provided to the Council for information.

The Council is reminded that in accordance with Regulation 31(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.”

RECOMMENDATION

That the following responses to public questions taken on notice, be received and noted.

6. PETITIONS

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

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

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

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 Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

9.1 100 Pinnacle Road, Mount Wellington - New and Upgraded Shared Use and Mountain Bike Tracks and Associated Works PLN-21-302 - File Ref: F21/83773

Ref: Open [CPC 7.1.2](#), 30/08/2021
Application Expiry Date: 7 September 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for new and upgraded shared use and mountain bike tracks and associated works, at 100 Pinnacle Road, Mount Wellington 7054 for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 30 August 2021 and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-302 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENV 8

Prior to the removal of any tree with a diameter at breast height of >700mm, the advice of a suitably qualified person must be obtained with regard to the impact on slope stability. Any recommended advice with regard to maintaining slope stability must be implemented.

Reason for condition

To protect life, property and land, and to minimise the need for remedial works

ENV 9

No works for the 'Rocky Wheel'n' and 'Free Wheel'n' tracks may encroach more than 10% into the tree protection zones of the following trees, as determined using Australian Standard AS 4970-2009 *Protection of trees on development sites*, without the prior written consent of the planning authority:

- Trees with a diameter at breast height of >100cm in the areas mapped as WOB or WRE in Figure 2 of the Natural Values Assessment by Enviro-Dynamics (Rocky Wheelin' MTB track) dated July 2020.
- Trees with a diameter at breast height of >70cm in the area mapped as DOB in Figure 2 of the Natural Values Assessment by Enviro-Dynamics (Rocky Wheelin' MTB track) dated July 2020.
- Trees identified as old growth trees in Figure 2 of the Natural Values Assessment by Enviro-Dynamics (Rocky Wheelin' MTB track) dated July 2020.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 10

No works for the 'Skid Road' and 'Upper Luge' tracks may encroach more than 10% into the tree protection zones of the following trees, as determined using Australian Standard AS 4970-2009 *Protection of trees on development sites*, without the prior written consent of the planning authority:

- Trees with a diameter at breast height of >100cm.
- Trees identified as large or old growth trees in Figure 2 of the Natural Values Assessment by Enviro-Dynamics (Upper Luge MTB tracks) dated July 2020.
- Blue gums (*Eucalyptus globulus*) with a diameter at breast height of >40cm.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 11

Clearing of native vegetation and soil disturbance must not exceed a 2m wide strip along the track route, except where associated with an approved borrow pit or where the vegetation has been assessed as an unacceptable safety risk for users of the track by a suitably qualified person using an accepted best-practice assessment methodology (e.g. QTRA, VALID) but excluding those trees specified in conditions ENV 9 and ENV 10.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 12

Disturbance of large, fallen logs must be avoided as far as reasonably practicable.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 14

Coarse woody debris must not be removed from the Park.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 15

The individuals of holly (*Ilex aquifolium*) and forget-me-not (*Myosotis sp.*) identified in the Natural Values Assessment by Enviro-Dynamics (Rocky Wheelin' MTB track) and the Natural Values Assessment by Enviro-Dynamics (Upper Luge MTB tracks) dated July 2020 must be removed as part of the construction works and disposed of to a waste disposal facility.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV 16

No soil is to be imported onto the site unless determined as being free of weed propagules when tested in accordance with AS 4419 Soils for Landscaping and Garden Use.

Reason for condition

To minimise the spread of weeds.

ENV 2

Prior to the commencement of works, a CEMP must be submitted and approved as a Condition Endorsement. The CEMP must:

- detail the proposed construction methodology (particularly where works may have environmental impacts);
- identify all potential environmental impacts associated with the works including (as relevant) noise, odours, air pollution, water pollution, land contamination, erosion, land instability, changes to hydrology, habitat degradation and impacts upon flora and fauna; and
- include measures to adequately avoid or mitigate all identified environmental risks.

To be approved, the CEMP must:

- specify that works will progress from the upslope ends of the tracks to the downslope ends of the tracks;
- include measures to ensure that works will not encroach by more than 10% into the tree protection zones of the trees specified in conditions ENV 9 and ENV 10.
- include soil and water management measures, particularly near watercourse crossings;
- include measures to ensure the risk of rockfall is acceptable during construction works, and following completion of the works;
- include weed and pathogen hygiene measures; and
- include specifications that demonstrate compliance with environmental conditions ENV 8, ENV 11, ENV 12, ENV 14, ENV 15, ENV 16, ENV s1, ENV s2 and ENV s3.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To minimise the potential for environmental impacts from the construction works

ENV s1

If evidence of raptor nesting, swift parrot nesting or marsupial denning is observed within 20m of the track alignment, work must stop immediately, and appropriate management measures, approved by the planning authority, must be implemented.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV s2

Between 10 and 14 months after completion of each track, a weed audit must be carried out along the track alignment, and any identified weeds removed and disposed of to a waste disposal facility.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ENV s3

The location, design and rehabilitation of any borrow pits, must be approved by the planning authority prior to any borrow pits being constructed.

Reason for condition

To conserve flora, fauna, geological values, and to protect natural processes.

ADVICE

Consideration be given to ways of managing the speed of mountain bikers entering O'Grady's Falls Fire Trail from the new Free Wheel'n' bike trail.

ADVICE

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

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

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application. Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

COUNCIL RESERVES

A permit under the Public Spaces By-law will be required for these works. An application for a Permit to Undertake Works can be made [here](#). As part of the permit, an Environmental Management and Communications Plan must be prepared to the satisfaction of the Director City Amenity. A template for the Environmental Management and Communications Plan can be provided by the Open Space Planning Team; call 03 6238 2488. This plan must be made specific for the trackworks within Wellington Park.

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

10. Hobart Current 2023

File Ref: F21/79117; 19/100-0001

Ref: Open [CCEC 6.1](#), 26/08/2021

That the Council endorse the partnership with the Tasmanian Museum and Art Gallery as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 26 August 2021, to deliver the next iteration of the biennial Hobart Current program to be held in March 2023

11. Community Commitments Final Endorsement

File Ref: F21/55183; 16/118

Ref: Open [CCEC 6.2](#), 26/08/2021

That the Council formally adopt the following six draft community commitments, marked as Attachments B – G respectively of the Open Community Culture and Events Committee agenda of 26 August 2021:

- (i) Community Safety Commitment 2021-23 (Attachment B)
- (ii) Equal Access Commitment 2021-23 (Attachment C)
- (iii) LGBTIQ+ Commitment 2021-23 (Attachment D)
- (iv) Multicultural Commitment 2021-23 (Attachment E)
- (v) Positive Ageing Commitment 2021-23 (Attachment F)
- (vi) Youth Commitment 2021-23 (Attachment G)

12. Tasmania's Own Market - Site Fees

File Ref: F21/81607

Ref: Open [CCEC 6.3](#), 26/08/2021

That the Council delegate to the Chief Executive Officer the authority to set fees and charges pursuant to section 22 of the *Local Government Act 1993* for Tasmania's Own Market for the remainder of the 2021-22 financial year.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

13. Business Events Tasmania Annual Funding Submission
File Ref: F21/69951

Ref: Open [EDCC 6.1](#), 26/08/2021

- That:
1. The Council provide funding of \$109,355 to Business Events Tasmania which has been included in the Economic Development Budget Function of the 2021-22 Annual Plan.
 2. The total funding provision be recorded in the 'Grants, Assistance and Benefits provided' section of the City of Hobart's Annual Report.

14. CLOSED PORTION OF THE MEETING

RECOMMENDATION

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Minutes of a Closed Meeting
- Leave of absence
- Proposal for the Council to acquire land
- Information of a Confidential nature

The following items are listed for discussion:-

- | | |
|------------|--------------------------------------------------------------------------|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Communication from the Chairman |
| Item No. 3 | Leave of Absence |
| Item No. 4 | Consideration of supplementary Items to the agenda |
| Item No. 5 | Indications of pecuniary and conflicts of interest |
| Item No. 6 | Anglesea Street – Property Acquisition to Support Footpath Extension |
| | LG(MP)R 15(2)(f) and (g) |
| Item No. 7 | Intergovernmental Relations and Advocacy Framework |
| | LG(MP)R 15(2)(c)(ii) |