

CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 6 SEPTEMBER 2021
AT 5:00 PM
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted 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.







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PRESENT:

The Lord Mayor Councillor A M Reynolds, Aldermen M Zucco, J R Briscoe, Dr P T Sexton, D C Thomas, Councillors W F Harvey, M S C Dutta, J Ewin, Dr Z E Sherlock and W N S Coats.

APOLOGIES:

Alderman S Behrakis.

LEAVE OF ABSENCE:

The Deputy Lord Mayor Councillor H Burnet.

Councillor Ewin joined the meeting at 5.01pm.

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.

EWIN SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

Coats

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 Salamanca Volunteer Reception

On Friday 3 September 2021 the Lord Mayor hosted a Reception for 51 people who have volunteered their time over the last 12 months at the Salamanca Market.

When the market re-started in August 2020, after being closed as a result of Covid-19, in a smaller and modified way for 500 people there were around 12 volunteers on site. As restrictions eased and the market has grown over the last 12 months, there are now around 230 volunteers on the books with 60-80 on site each week.

The Lord Mayor reported she was happy to be able to host the morning tea to show the Council's appreciation of their ongoing commitment and dedication to supporting the market.

3.2 Tasmanian State Budget

The Lord Mayor reported on some key initiatives / highlights for Local Government and specifically, City of Hobart, following the Tasmanian Government handing down its budget on 26 August 2021. These included:

- \$27.8 million for State Road upgrades in the Southern Region but it is not clear if this includes Davey and Macquarie streets.
- \$3.45 million to update Regional Land Use Strategies, including the Southern Region Land Use Strategies
- \$700K to the Planning Policy Unit to undertake planning reforms and delivery of the Tasmanian Planning System
- \$500K has been allocated for the Local Government Reform investigation in each of 2021-22 and 2022-23.

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A number of City of Hobart assets received funding:

- Queenborough Oval changeroom improvements \$2M
- Plaister Stand North Hobart Oval a lift and accessible seating -\$370K
- Sandy Bay Sailing Club lift installation, toilet upgrade and new shed-\$331K
- New Town Bowls Club Stage 1 redevelopment \$1M
- North Hobart Bowls Club new synthetic surface \$150K
- Sandy Bay Rowing Club new pontoon \$150K

It was noted that in terms of funding for these projects, some have been applied for and will be managed by individual clubs.

For others, particularly the larger projects, Council Officers will have a role in these. Whilst funding for projects is always welcome, it is important that the impact on Council resources in the project management of these projects is considered.

The Lord Mayor reported this was something she intend to raise, as well as and long term asset replacement and depreciation impacts on the City, with relevant state elected representatives.

The Lord Mayor reported the following Greater Hobart City Deal funding:

- Greater Hobart Traffic Solution = \$22.8M
- Increased spending on bus services = \$500K
- Bus stop upgrades = \$500K

3.3 Hotel Quarantine

The Lord Mayor reported that on Wednesday 1 September 2021, her and the CEO met with the Department of Communities following the public announcement that Hobart could expect a repatriation flight from the United Kingdom.

There are well-documented risks with international hotel quarantine which have been experienced by our capital city colleagues.

The Lord Mayor recognised that Tasmania – like other states – is going to have a role in the repatriation of Australians who have been stranded overseas.

The Lord Mayor and CEO asked a number of questions about the processes in place to protect Hobart residents and businesses from the risk of COVID-19 escaping from CBD hotels that are providing quarantine.

The Department has assured the City that the safety measures put in place are of the highest standard. The CEO will continue to communicate with the Department, to monitor the situation and assist where we can.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

5. PUBLIC QUESTION TIME

5.1 Public Questions

5.1.1 Ms Lyndell Edwards - North Hobart Parking

Ms Lyndell Edwards put the following questions and was provided with the corresponding response from the Lord Mayor.

Question:

I ask the Council to:

- 1. compensate resident parking permit-holders living within the area of the recent changes to parking in North Hobart by either:
 - restoring parking bays previously available to residents on side streets (for example the two parking bays directly in front of 6 Pitt Street), or
 - b. reducing the permit fee in line with the reduced provision of service; and that Council,
- 2. review its approach to community engagement in a way that builds community capacity, mitigates the politicisation of important issues and improves the ways in which Council selects and applies consultation methodologies.

Response:

The CEO is preparing a comprehensive report in relation to parking in North Hobart and the outcomes of community engagement undertaken and next steps regarding the implementation of an Action Plan; including responding to the petition received from North Hobart traders on parking issues.

This report whilst not specifically considering the suggestions you've made, will respond to issues around parking in North Hobart and the impact on residents along with all other relevant stakeholders.

In response to your request for the Council to review its approach to community engagement, the City's approach is in accordance with Council's adopted Engagement Framework which we will include in the written response to you. Like all Council frameworks and strategies it is subject to periodic review.

As a member of International Association for Public Participation the City is committed to community engagement and seeks to undertake activities that:

- are inclusive and accessible to members of the community
- create an active and informed dialogue
- achieve good governance by facilitating open, fair and constructive dialogue
- allow for informed decision-making
- understand the views and aspirations of the community.

The engagement activities that were undertaken in North Hobart in developing the draft Place Vision and Access and Parking Plan, took place in 2020, Stage One was the development of the Place Vision and Parking and Access Plan, involved three visioning workshops with local residents, property owners and traders, in Feb 2020 the Local Residents and Community Workshop had 86 participants and the Local Business Managers/Owners Workshop had 11 participants.

There were four Access and Parking workshops also held in Feb 2020, the Local Residents and Community Workshop had 82 participants and the Local Business Managers/ Owners Workshop had 16 participants.

Interviews were also undertaken with the former and current Presidents of the North Hobart Traders Association, representatives from key transport agencies and advocacy groups, and cultural clubs in the Precinct, including Italian and Greek communities and the Chinese Community Association of Tasmania.

We had 45 on the street surveys (referred to as intercept surveys) and 531 online survey responses.

In 2021 Stage Two, the understand community support for the Draft Place Vision and Parking and Access Plan was undertaken. This involved an online survey attracting 295 responses, stakeholder

meetings with North Hobart Community Associations and North Hobart Trader Association and Walk and Talk with North Hobart Traders.

In both stages there was extensive promotion of the engagement activities through direct mail out to businesses and residents, social media, e-newsletters and postcard and cinema campaign.

All of the documents will be included in the response to you.

5.1.2 Mr John Kelly - Engagement - North Hobart Parking

Mr John Kelly put the following question. The Lord Mayor refereed the question to the CEO for response.

Question:

At Council's last meeting 23 August 2021, Alderman Zucco questioned the Director of City Innovation Mr Carr, if he had consulted with John Kelly of the North Hobart Traders Association prior to the installation of parking meters being installed at Elizabeth St North Hobart.

His response was "YES" - he had consulted with me.

As I have previously advised all elected members and the CEO on 20 August 2021, I maintain that no consultation had been made.

The Director's response effectively labels me as a liar.

Could the Director of City Innovation please provide the evidence of the consultative process that he engaged with John Kelly of the North Hobart Traders Association regarding the installation of parking meters at Elizabeth Street North Hobart, as he claimed at the Council meeting of 23 August 2021 and how this followed any of the guidelines in the Community Engagement Framework Policy?

CEO Response:

I apologise for not responding to your email earlier.

While the answer to tonight's other question partially addresses the question given that your question was only received this afternoon it has not been possible to prepare a response specifically responding to the question. As such, the question will be taken on notice and a written response will be provided in due course.

A copy of that response will be included on the agenda of a subsequent Council meeting.

5.2 Responses to Public Questions Taken on Notice

There were no responses included on the agenda.

6. PETITIONS

6.1 Petition - Rezoning of 21, 21B and Part of 21A Enterprise Road, Sandy Bay

The Chief Executive Officer tabled a petition from Mr Peter Sibly of Enterprise Road, Sandy Bay, calling for the Council to initiate an amendment to the Hobart Interim Planning Scheme 2015 to rezone 21, 21B and part of 21A Enterprise Road, Sandy Bay from General Residential to Low Density Residential.

There were 208 signatories to the petition.

BRISCOE DUTTA

That the petition be received and noted and referred to the appropriate Committee.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

Coats

Attachment

A Petition - Rezoning of 21, 21B and Part of 21A Enterprise Road, Sandy Bay ⇒ □

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.

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.

Members of the Committee 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 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 minimse 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

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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 ValuesAssessment 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.

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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:

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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.

BRISCOE HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

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.

SHERLOCK HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

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)

SHERLOCK HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

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.

SHERLOCK EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

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.

THOMAS SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

14. CLOSED PORTION OF THE MEETING

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 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	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)

SHERLOCK HARVEY

That the recommendation be adopted.

MOTION CARRIED BY ABSOLUTE MAJORITY

VOTING RECORD

AYES NOES

Lord Mayor Reynolds

Zucco

Briscoe

Sexton

Thomas

Harvey

Dutta

Ewin

Sherlock

There being no further business the Open portion of the meeting closed at 5.35pm.

TAKEN AS READ AND SIGNED AS A CORRECT RECORD THIS 20TH DAY OF SEPTEMBER 2021.

CHAIRMAN