



CITY OF HOBART

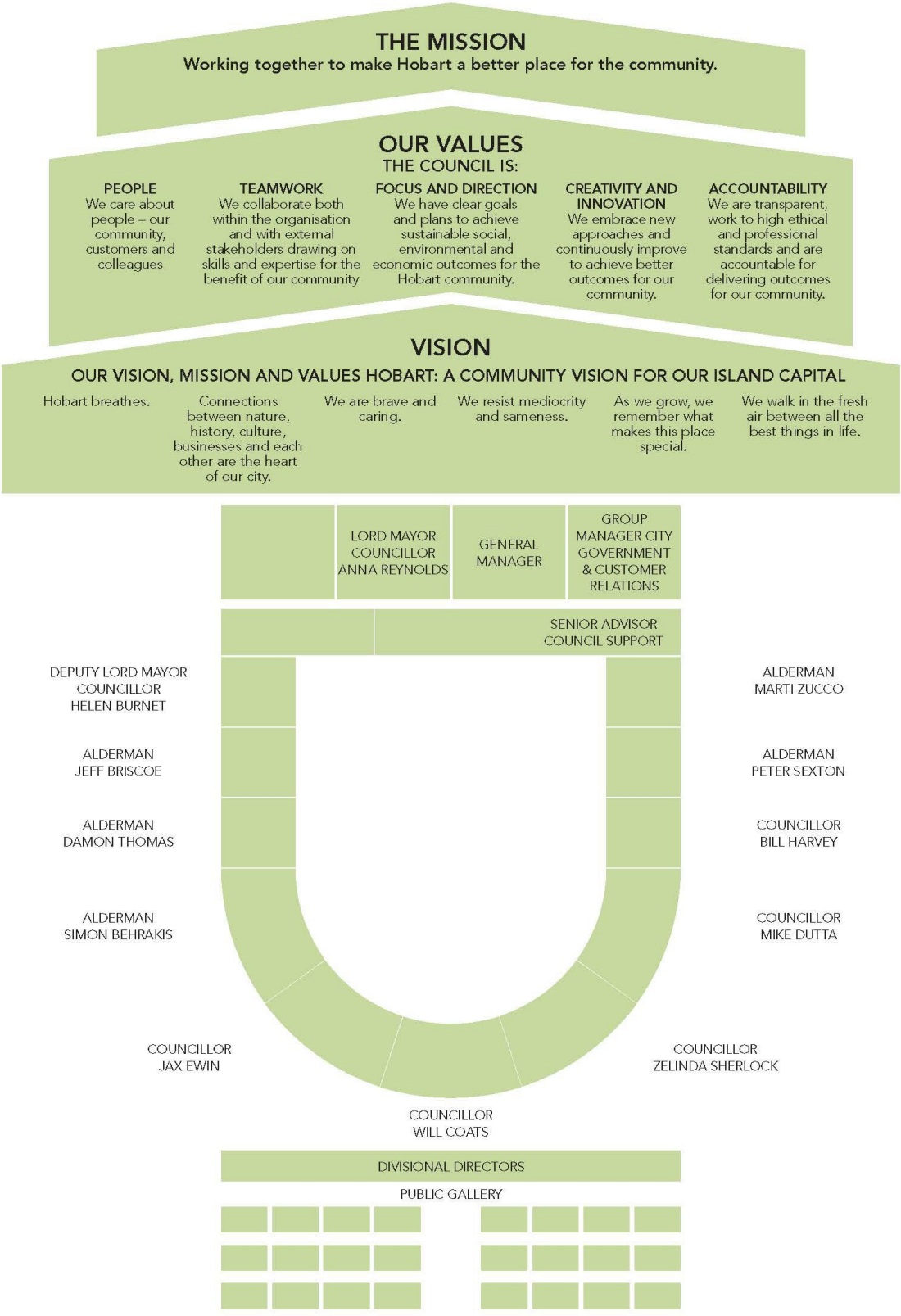
AGENDA

OPEN PORTION OF THE COUNCIL MEETING

WEDNESDAY, 27 JANUARY 2021

AT 5:00 PM





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 WEDNESDAY, 27 JANUARY 2021 AT
5:00 PM.**

**N D Heath
General Manager**

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 M 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 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 [Thursday, 17 December 2020](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

2. TRANSFER OF AGENDA ITEMS

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

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of 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

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 General Manager 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 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.

9.1 109-113 Liverpool Street, Hobart - Signage PLN-20-698 - File Ref: F20/136469

Ref: Open [CPC 7.2.3](#), 18/01/2021
Application Expiry Date: 27 January 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, and section 39(10) of the *Historic Cultural Heritage Act 1995*, the Council refuse the application for signage, at 109-113 Liverpool Street, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E17.7.2 P1 of the *Hobart Interim Planning Scheme 2015* because the above awning sign is of a size, design, location, has modern trademarks, has fixings and is illuminated in a manner that does not complement the heritage character of the place.
2. Because the application has been refused by the Tasmanian Heritage Council pursuant to section 39(6)(c) of the *Historic Cultural Heritage Act 1995*. Refer Notice of Heritage Decision reference 6378 dated 10 December 2020 marked as Attachment B to item 7.2.3 of the Open City Planning Committee agenda of 18 January 2021.

9.2 Amendment PSA-20-2 - Hobart Interim Planning Scheme 2015 - 321-323A to 325 Elizabeth Street and 16A Lefroy Street
File Ref: F20/134169

Ref: Open [CPC 7.3.1](#), 18/01/2021

- That:
1. Pursuant to Section 34(1) (a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to modify the Inner Residential Zone Use Table to include Vehicle Parking as a discretionary use with the qualification “only if at 321-323A Elizabeth Street (CT 137808/1 and 2); or 325 Elizabeth Street (CT 176661/1 and CT 137807/1); or 16A Lefroy Street (CT 112639/1 and CT 112639/2)”, as indicated in the revised Inner Residential Use Table provided in Attachment B to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.
 2. The applicant submit landowner consent from the City of Hobart General Manager as landowner of 16A Lefroy Street (CT 112639/1 and CT 112639/2) and the Director of Housing as landowner of 45A Burnett Street (CT 121837/1) prior to public exhibition of the amendment.
 3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the amendment to the Hobart Interim Planning Scheme 2015 PSA-20-2 meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification marked as Attachment E to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.
 4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place Amendment PSA-20-2 to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.

10. Southern Tasmania Regional Land Use Strategy - Proposed Review Process and Draft New Policy - Submission to the Minister for Planning
File Ref: F21/324

Ref: Open [CPC 8.1](#), 18/01/2021

That the Council endorse the submission to the Minister for Planning, in response to a roadmap for review of the Southern Tasmania Regional Land Use Strategy 2010-2035 and a proposed new interim policy relating to urban zoning beyond the Urban Growth Boundary, as shown in Attachment A to item 8.1 of the Open City Planning Committee agenda of 18 January 2021.

11. Monthly Building Statistics - 1 December - 31 December 2020
File Ref: F21/1139

Ref: Open [CPC 8.2](#), 18/01/2021

That the report of the Director City Planning be received and noted:

During the period 1 December 2020 to 31 December 2020, 56 building permits were issued to the value of \$11,649,479 which included:

- (i) 31 for Extensions/Alterations to Dwellings to the value of \$4,509,648;
- (ii) 7 New Dwellings to the value of \$2,567,000; and
- (iii) 2 Major Projects:
 - (a) 21-27 Elizabeth Street, Hobart - Commercial Internal Alterations - \$1,167,381;
 - (b) 7 Wilks Road, Lenah Valley - New Commercial Building - \$1,100,000;

During the period 1 December 2019 to 31 December 2019, 61 building permits were issued to the value of \$32,977,425 which included:

- (i) 35 for Extensions/Alterations to Dwellings to the value of \$3,869,310;
 - (ii) 37 New Dwellings to the value of \$15,935,615; and
 - (iii) 3 Major Projects:
 - (a) 110 Giblin Street, New Town - Multiple New Dwellings - \$12,000,000;
 - (b) 15-17 Liverpool Street, Hobart - Brooker Highway Pedestrian Bridge - \$6,500,000;
 - (c) 254-286 Liverpool Street, Hobart - Commercial Internal Alterations - \$4,200,000;
1. In the twelve months ending December 2020, 641 building permits were issued to the value of \$180,406,244 and
 2. In the twelve months ending December 2019, 621 building permits were issued to the value of \$341,462,108.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

12. Tasmania's Own Market - Fee Structure
File Ref: F21/2785

Ref: Special Open [CCEC 4.1](#), 27/01/2021

A recommendation will be submitted at the meeting.

FINANCE AND GOVERNANCE COMMITTEE

13. Giblin Street Quarry - Expressions of Interest to Lease Land
File Ref: F20/127125; 34-10-3/06

Ref: Closed [FGC 4.2](#), 19/01/2021

- That:
1. Expressions of interest be sought for the lease of the upper quarry at 3B Giblin Street, Lenah Valley.
 2. A report be provided detailing the expressions of interest received.
 3. The Expression of Interest documents note:
 - (i) The presence of future road corridors within the subject land;
 - (ii) The need for any potential use to be the subject of separate approvals;
 - (iii) The need for any individual or groups leasing the area to undertake necessary works to mitigate potential rock falls;
 - (iv) Potential lessees be responsible for the connection of the site to required services (water, sewer, electricity etc);
 - (v) Potential lessees be required to undertake engagement with neighbours and other stakeholders.

PARKS AND RECREATION COMMITTEE

**14. Australian Government Local Roads and Community Infrastructure
Program - Grant Funding
File Ref: F21/3420**

Ref: Special Open [PRC 4.1](#), 27/01/2021

A recommendation will be submitted to the meeting.

SPECIAL REPORTS – GENERAL MANAGER
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15. 2019-2020 Annual General Meeting
File Ref: F21/723

Memorandum of the General Manager of 22 January 2021.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

2019-2020 Annual General Meeting

The Council at its 12 October Council meeting noted the delay in financial statements being returned from the Office of the Auditor-General within sufficient time to conduct the Annual General Meeting (AGM) in accordance with the *Local Government Act 1993* (i.e prior to 15 December). On 28 October 2020 a Notice was gazetted under the *COVID-19 Disease Emergency (Miscellaneous Provision) Act* providing a providing a three month extension to this timeframe.

It is now recommended that the Council hold the 2019-20 AGM at 7.30pm on Monday 22 February 2020 with the Community Forum that has followed the AGM in recent years, being incorporated into the Community Conversation sessions scheduled to be held throughout the year.

Should the Council meeting scheduled for 5pm on the same day not be concluded by 7.30pm, it would require an adjournment with the meeting being reconvened following the AGM.

A COVID-19 Safe Plan will be developed for the conduct of the AGM, adopting the same controls currently in place for the conduct of Council and Committee meetings. A copy of the plan will be circulated once finalised.

RECOMMENDATION

That the 2019-20 Annual General Meeting be conducted at 7.30pm on Monday 22 February 2021.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

N D Heath
GENERAL MANAGER

Date: 22 January 2021
File Reference: F21/723

16. Works on Display in the Council Chamber
File Ref: F21/4657

Report of the General Manager of 21 January 2021 and attachments.

Delegation: Council

REPORT TITLE: WORKS ON DISPLAY IN THE COUNCIL CHAMBER**REPORT PROVIDED BY:** General Manager**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to seek endorsement for the display of Tasmanian Aboriginal artwork in the Council Chamber.
 - 1.1.1. The display of Tasmanian Aboriginal artwork in the Council Chamber aligns with the City of Hobart's commitment to acknowledging Tasmanian Aboriginal people and history and demonstrates the City's leadership in reconciliation.
- 1.2. This report also seeks endorsement for the display of the City of Hobart's Community Vision statement in the Council Chamber.
 - 1.2.1. Displaying the City's Community Vision statement in the Council Chamber will serve as a reminder of the values of the City and its people.

2. Report Summary

- 2.1. Works currently on display in the Council Chamber have been in situ for a long period without alteration. These works do not fully reflect the City's unique history or contemporary community. Neither do they demonstrate our commitment to acknowledging Aboriginal people, history and culture.
- 2.2. The display of Tasmanian Aboriginal artwork in the Council Chamber aligns with the City of Hobart's commitment to Tasmanian Aboriginal people; to acknowledging our shared history and recognising the long history of Aboriginal custodianship in our region.
 - 2.2.1. Displaying Aboriginal artworks in this significant location will work to raise the visibility of Aboriginal people and culture within Hobart, build cultural safety, and highlight the City's leadership in reconciliation.
- 2.3. In addition, it is proposed that a representation of the City's Community Vision statement be designed, framed and displayed in the Council Chamber.
 - 2.3.1. Displaying the City's Community Vision statement in the Council Chamber reinforces the Council's commitment to representing the people of Hobart and to the values identified by the community.
- 2.4. It is proposed that the Council delegates the General Manager to oversee the installation of Tasmanian Aboriginal artworks for permanent display in the Council Chamber.

- 2.4.1. It is proposed that the portrait of Queen Elizabeth II would remain in the Council Chamber but be considered for repositioning to allow traditional Aboriginal works and the City's Community Vision statement to be displayed in a respectful and appropriate manner.
- 2.5. A cost of approximately \$1,500 for artworks and associated framing is funded through existing budget allocations, and will have no further impact on the current or future year operating budgets.

3. **Recommendation**

That:

1. ***In acknowledgement of the City of Hobart's Aboriginal heritage and in alignment with the Council's Aboriginal commitment, the General Manager be delegated to select and install Tasmanian Aboriginal artwork for permanent display, and to reposition the portrait of the Queen in the Council Chamber, if required.***
2. ***As a reminder of the values of the City of Hobart and its people, the Community Vision statement be displayed in the Council Chamber.***

4. **Background**

Aboriginal Artwork

- 4.1. Elected Members may recall that at the Council meeting of 16 December 2019, it was resolved *inter alia* that:

The Council endorse the final Aboriginal Commitment and Action Plan January 2020 – January 2022... for implementation
- 4.2. The Aboriginal Commitment and Action Plan (ACAP) commits the City to:
 - *working to uncover and make visible the truth of our shared history;*
 - *working towards a culturally safe organisation;*
 - *demonstrating leadership in reconciliation in partnership with Aboriginal people; and*
 - *embracing artistic and cultural expression as valuable communication methods.*
- 4.3. Local government makes an important contribution to supporting local arts and culture and celebrating diversity and heritage. Local government also plays an increasingly significant role in sustaining and promoting Aboriginal arts and culture. The City's role extends from ensuring diversity in public art commissions, to support through the annual Grants Program, and the curation of permanent exhibition and gallery displays, among other supportive initiatives in alignment with the ACAP and the *Creative Hobart Strategy*.

- 4.4. Commissioning, acquiring and displaying Tasmanian Aboriginal artwork is one of the many ways the City can support and promote creativity, cultural development and identity within our local Aboriginal communities, as well as delivering financial returns and developing the artistic profiles of the region's artists.
- 4.5. Over the past two years, a number of visitors to the Town Hall have commented on the lack of Aboriginal artwork or cultural acknowledgements within the building. This is particularly noticed in contrast with the large amount of other heritage material and artwork currently on display within the building. This matter was also raised by a number of community members during the engagement process for the development of the ACAP.
- 4.6. The lack of Aboriginal artwork and acknowledgement is held in contrast to the significant commitment the City has made to Aboriginal people in the ACAP.
- 4.7. A project is currently under way to increase the presence of Aboriginal art and acknowledgements within the Town Hall and Council Centre in alignment with ACAP Action 11, which is a commitment to:
- Build culturally safe spaces through flag flying and visible acknowledgements.*
- 4.8. The Council Chamber has been identified as a potential site for the installation of Tasmanian Aboriginal artwork. Other sites include the ground floor and first floor foyers within Town Hall.
- 4.8.1. The inclusion of Aboriginal artwork within the Council Chamber would be significant. This site reflects the centre of our democracy and is a place of leadership.
- 4.8.2. There are currently no works on display in the Council Chamber that reflect the Aboriginal history or the contemporary Hobart community.
- 4.9. A recent exhibition supported by Nayri Niara and curated by a number of Tasmanian Aboriginal Elders collected works from local established and emerging cultural artists. Artworks included jewellery, sculpture, painting and other disciplines. A number of works were selected from this exhibit for display in the Town Hall generally.
- 4.9.1. An example of the works proposed, as they would appear in the Council Chamber, is included at **Attachment A**. It is important to note that should Council agree to the proposal, final colour matching for the mounting of the works will be undertaken in consultation with a graphic designer and professional framer.
- 4.10. Incorporating Tasmanian Aboriginal artworks into the displays in the Council Chamber is a small but significant step in creating a more inclusive City.

Community Vision Statement

- 4.11. Elected Members may recall that at the Council meeting of 23 July 2018, with respect to the document *Hobart: A community vision for our island capital* (the Community Vision), the Council resolved *inter alia* to:
- endorse the final vision document to guide the City of Hobart's work into the future.*
- 4.12. As outlined in the Community Vision document, its purpose is:
- ...to guide the City's work, so that Council decisions help create the Hobart that our communities want, for current and future generations.*
- 4.13. Work currently on display in the Council Chamber does not accurately reflect the commitment of the City and Elected Members to the Hobart community.
- 4.14. Displaying the City's Community Vision statement in the Council Chamber is a reminder to Elected Members and officers of the values of the City, and in line with the intended purpose of the Community Vision, provides guidance for what Hobart communities want into the future.
- 4.14.1. An example artwork depicting the City's Vision is included at **Attachment B**.

5. Proposal and Implementation

- 5.1. It is proposed that the Council delegates the General Manager to oversee the selection and installation of Tasmanian Aboriginal artworks for permanent display in the Council Chamber, as per the example represented in Attachment A.
- 5.1.1. Works would be selected at the discretion of the General Manager in consultation with relevant officers, including the Deputy General Manager / Director Community Life and the Community Development Officer – Aboriginal Programs.
- 5.1.2. The City's Cultural Programs team would manage the installation, maintenance and ongoing curation of these artworks as part of the City's private art collection.
- 5.2. It is proposed that a representation of the City's Community Vision statement be designed, framed and displayed in the Council Chamber.
- 5.3. It is proposed that the portrait of Queen Elizabeth II would remain in the Council Chamber, but be considered for repositioning to allow traditional Aboriginal works and the City's Community Vision statement to be displayed in a respectful and appropriate manner.

- 5.4. A diagram representing the suggested placement of local Aboriginal artworks alongside the City's Community Vision statement is included as Attachment A.

6. Strategic Planning and Policy Considerations

- 6.1. This recommendation is aligned to the following focus areas of *Hobart: A community vision for our island capital*:

2.1.1 *We recognise the Tasmanian Aboriginal community and their heritage and culture as the foundation of this place.*

3.3.4 *We celebrate Tasmanian Aboriginal culture and creative endeavours, supporting and participating in them as core to this place and community.*

- 6.2. This recommendation responds to the following strategies outlined in the City's *Capital City Strategic Plan 2019-29*:

1.2.4 *Celebrate and highlight the uniqueness of Hobart's character and heritage.*

1.1.12 *Create opportunities for people to connect to place, supporting spiritual and cultural customs and practices.*

2.1.2 *Highlight Tasmanian Aboriginal history and culture, including acknowledgement of the darkness of our shared experience, through interpretation, naming, arts and events.*

- 6.3. This recommendation aligns with actions outlined in the City's *Aboriginal Commitment and Action Plan*, as follows:

Action 7: Highlight Tasmanian Aboriginal history and culture, including acknowledgement of the darkness of our shared experience, through interpretation, naming, arts and events.

Action 11: Build culturally safe spaces through flag flying and visible acknowledgements.

7. Financial Implications

- 7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. Acquisitions are funded through existing budget allocations and will have no impact on the current year operating result.

- 7.2. Impact on Future Years' Financial Result

7.2.1. There is no expected impact on the future years' financial result.

7.3. Asset Related Implications

- 7.3.1. Any artwork acquired by the City of Hobart will enhance, complement and build upon the existing collection of works.
- 7.3.2. Any artwork acquired by the City of Hobart has the potential to appreciate in value, as per other pieces retained by the City.
- 7.3.3. The City's Cultural Programs team would manage the installation, maintenance and ongoing curation of these artworks as part of the City's private art collection.
- 7.3.4. There are no other asset related financial implications.

8. Legal, Risk and Legislative Considerations

- 8.1. There are no known legal, risk or legislative considerations.

9. Environmental Considerations

- 9.1. Artworks selected are made from natural materials and are in accordance with the City's zero waste to landfill policy.

10. Social and Customer Considerations

- 10.1. Incorporating Tasmanian Aboriginal artworks for display in the Council Chamber has the following expected social outcomes:
 - Increasing visibility of the Tasmanian Aboriginal community, heritage and culture within the City of Hobart and Council buildings;
 - Acknowledgment that the City's Aboriginal history and heritage is of significant importance to the Hobart City Council and the people of Hobart;
 - Support and recognition for contemporary Tasmanian Aboriginal artists, and promoting cultural practices cultivated and developed over many generations; and
 - Demonstrating to Tasmanian Aboriginal people and the City that the Hobart City Council is a supportive partner and committed to recognition, social inclusion and cohesion.
- 10.2. Incorporating the City's Vision Statement for display in the Council Chamber has the potential to increase awareness of the values identified by the people of Hobart, to focus Council decision-making on outcomes for the community, and to strengthen the stated purpose of the Community Vision, which is:

...to guide the City's work, so that Council decisions help create the Hobart that our communities want, for current and future generations.

11. Marketing and Media

- 11.1. There is potential for positive media exposure in response to the display of Tasmanian Aboriginal artwork and the City's Community Vision statement in the Council Chamber.

12. Community and Stakeholder Engagement

- 12.1. The Manager Community and Culture, the Community Participation Coordinator, the Cultural Programs Coordinator, the Community Development Officer – Aboriginal Programs, the Building Maintenance Coordinator and the Communications team have been consulted in the preparation of this report.
- 12.2. The featured artist, Lillian Wheatley, has been consulted in the preparation of this report.
- 12.3. Feedback over the past several years from community members and stakeholders visiting the Town Hall has been considered in the preparation of this report.

13. Delegation


- 13.1. This matter is delegated to the Council.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



N D Heath
GENERAL MANAGER

Date: 21 January 2021
File Reference: F21/4657

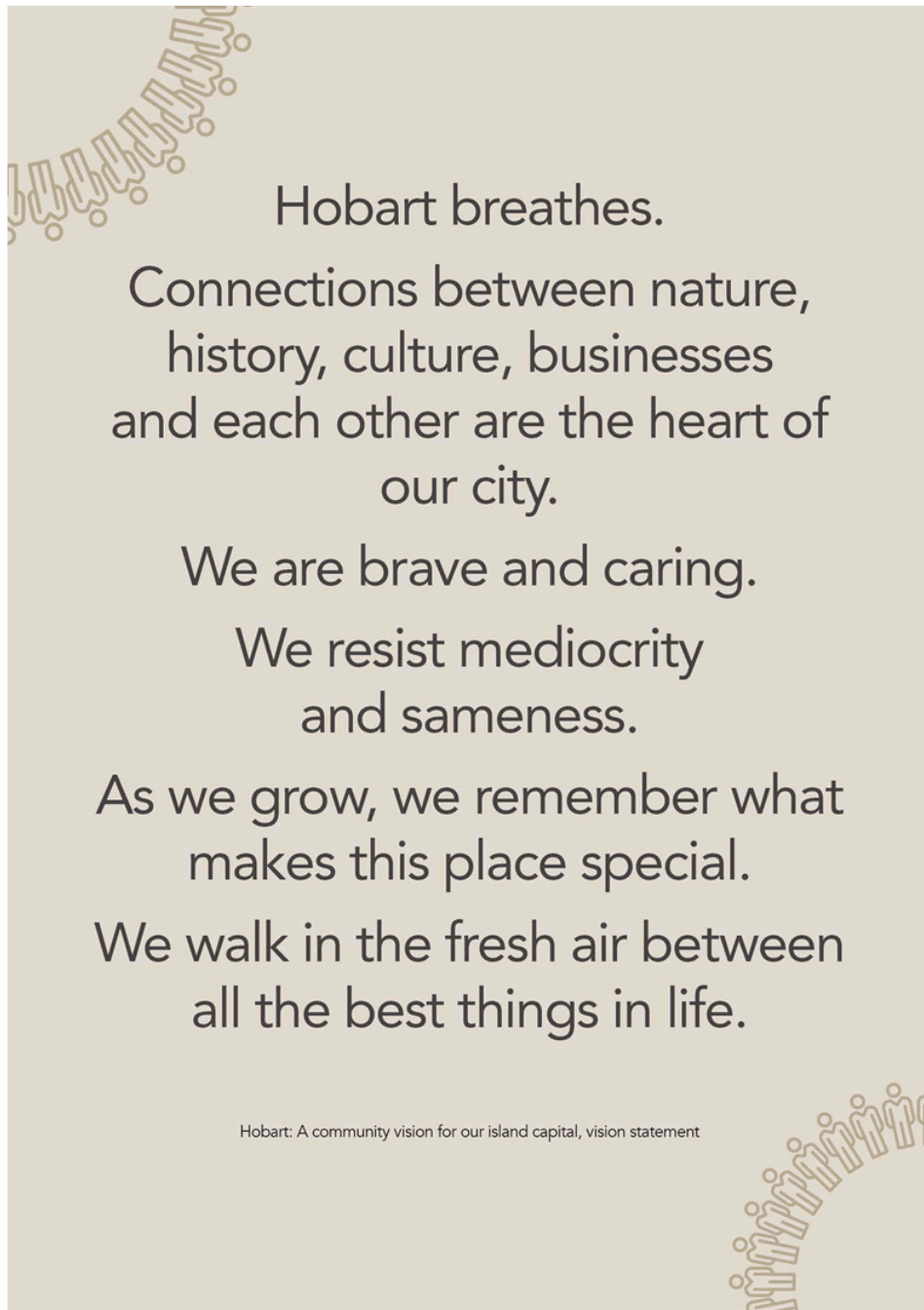
Attachment A: Proposed Artworks for the Council Chamber ↓ 
Attachment B: Proposed Community Vision Statement ↓ 

ATTACHMENT A: Proposed Works in the Council Chamber



ATTACHMENT B:

Proposed Community Vision Statement - A1 (594x841mm)



17. 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:

- Legal action involving the Council
- Proposal for land that Council has an interest in
- Commercial 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. 6.1 | PLN-19-640 - 14 Byron Street, Sandy Bay - Appeal - Mediation
LG(MP)R 15(4)(a) |
| Item No. 7 | Civic Square - Expression of Interest Process
LG(MP)R 15(2)(b), (f) and (g) |