



CITY OF HOBART

MINUTES

OPEN PORTION OF THE COUNCIL MEETING HELD 11 JULY 2016 AT 5.02 PM

PRESENT: The Deputy Lord Mayor (Chairman), Alderman R G Christie,
Aldermen M Zucco, J R Briscoe, E R Ruzicka,
P T Sexton, H C Burnet, P S Cocker, D C Thomas,
A M Reynolds, T M Denison and W F Harvey.

The Acting Lord Mayor declared an interest in item 14, retired at 5.28 pm and returned at 5.35 pm.

Alderman Thomas arrived at the meeting at 5.09 pm and was not present for items 1 to 9.1.

APOLOGIES: Nil.

LEAVE OF ABSENCE: The Lord Mayor Alderman S L Hickey.

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ACKNOWLEDGEMENT OF COUNTRY

1. MINUTES OF THE LAST MEETING OF THE OPEN PORTION OF THE COUNCIL MEETING

The Chairman reported that he had perused the minutes of the Open Portion of the Council meeting held on 20 June 2016, found them to be a true record and recommended that they be taken as read and signed as a correct record.

HARVEY
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

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

No communication was received.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the following Council workshops have been conducted:

Date: 5 July 2016
Purpose: Good Governance Guide for Tasmanian Council's

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

6.1 REMOVAL OF PALM TREES ON SANDY BAY ROAD, SANDY BAY – FILE REF: R0820

Attachment A Page 6-7 Petition

The Acting General Manager presented a petition seeking the removal of four remaining palm trees located in the centre of Sandy Bay Road, between King Street and Princes Street.

There were 27 signatories to the petition.

ZUCCO
RUZICKA

That the petition be received, noted and referred to the appropriate committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Reynolds

Denison

Harvey

Petition to Hobart City Council for Removal of Palm Trees

Attachment A

As business owners and key stakeholders in the Sandy Bay Shopping Precinct we are seeking the removal of the 4 remaining palm trees located in the centre of Sandy Bay road between King Street and Princes Street

They are preventing banner poles from being located as originally proposed in the Redevelopment of the Sandy Bay Precinct.

Sandy Bay is the only suburb that does not have the ability to celebrate Christmas or other significant events such as Chinese New Year and other community events

It should be noted that this whole redevelopment process was initiated because HCC repeatedly told us that until there was appropriate infrastructure in Sandy Bay ie banner poles we would not be able to hang decorations and the like.

It should be noted that the majority of the people surveyed wanted them removed however HCC decided to keep them.

We would like the palm trees removed and banner poles erected in their place.

Name	Business	Address	Signature
Alex Johnson	Brew	172 Sandy Bay Rd	[Signature]
Dany- Porter	RYCS	MARINET COURT	[Signature]
STEFAN SIMSON	METACON	6A MAGNET CT.	[Signature]
Scott Loring	Claudia Jewell's	24 Magnet Court	[Signature]
Jacob Nunn	Brew	172 Sandy Bay Rd	[Signature]
DREW BOWARDS	BNA ARCHITECTS	171 SANDY BAY ROAD	[Signature]
FREYA LIDDELL	CLAUDIA'S	24 MAGNET CRT	[Signature]
Rachel Bresnahan	Body Stop	167 Sandy Bay Road	[Signature]
Dale Archer	Fintedse	190 Sandy Bay Road	[Signature]
G. PARKER	TOP DRAWER	8 MAGNET CRT S/BAY	[Signature]
MARK DREW	MARK DREW ARCHITECT	STUDIO 2 3 STAR STREET	[Signature]
Jo Hills	The Barbara Todd Ballet School	Wellspring Church Hall	[Signature]
Deb Noye	Grey and Felt	169 Sandy Bay Rd	[Signature]
Jo Parker	Top Drawer	8 Magnet Crt	[Signature]
Kevin McGregor	Prime Dental	9 Gregory St Sandy Bay	[Signature]
Glennnda McGregor	Prime Dental	9 Gregory St Sandy Bay	[Signature]
SUE SPINKS	DEFINE COSMETIC	167 Sandy Bay Rd.	[Signature]
IMMETH BUSSEN	GROSVENOR COURT	42 GROSVENOR ST	[Signature]
NDA ROBUSTELLI	MAGNET COURT	MAGNET COURT	[Signature]
TODD JEFFREY	Generation Financial	24/2a Sandy Bay Road	[Signature]
Jimi Usher	Flight Centre	182 Sandy Bay Rd	[Signature]
Vanessa Castle	Sandy Bay	24/1b Sandy Bay Rd	[Signature]

Petition to Hobart City Council for Removal of Palm Trees

As business owners and key stakeholders in the Sandy Bay Shopping Precinct we are seeking the removal of the 4 remaining palm trees located in the centre of Sandy Bay road between King Street and Princes Street

They are preventing banner poles from being located as originally proposed in the Redevelopment of the Sandy Bay Precinct.

Sandy Bay is the only suburb that does not have the ability to celebrate Christmas or other significant events such as Chinese New Year and other community events

It should be noted that this whole redevelopment process was initiated because HCC repeatedly told us that until there was appropriate infrastructure in Sandy Bay ie banner poles we would not be able to hang decorations and the like.

It should be noted that the majority of the people surveyed wanted them removed however HCC decided to keep them.

We would like the palm trees removed and banner poles erected in their place.

[illegible]

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

RECOMMENDATION

That the Council resolve by absolute majority 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

In accordance with Part 2 Regulation 8 (7) of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Aldermen to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

In addition, in accordance with the Council's resolution of 14 April 2008, Aldermen are requested to indicate any conflicts of interest in accordance with the *Aldermanic Code of Conduct* adopted by the Council.

Accordingly, Aldermen are requested to advise of pecuniary or conflicts of interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

The following interest was indicated:

1. The Acting Lord Mayor – item 14.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of 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 15-17 LIVERPOOL STREET, 61 BROOKER AVENUE, 71
BROOKER AVENUE, CT 160498/2, BROOKER AVENUE ROAD
RESERVATION, BATHURST STREET ROAD RESERVATION,
HOBART – SHARED USE BICYCLE AND PEDESTRIAN BRIDGE
– PLN 16-00386-01 – FILE REF: 30-1-59**

Ref. Open CPC Supp 6.1.4, 4/7/2016

Application Expiry Date: 13/7/2016

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a shared use bicycle and pedestrian bridge at 15-17 Liverpool Street, 61 Brooker Avenue, 71 Brooker Avenue, CT 160498/2, Brooker Avenue Road Reservation, Bathurst Street Road Reservation, Hobart for the reasons outlined in the officer's report attached to the supplementary item 6.1.4 of the Open City Planning Committee agenda of 4 July 2016 and a permit containing the following conditions be issued:

GENERAL

GEN The use and/or development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-16-00386-01 outlined in Attachment A to this permit except where modified below.

cont.../

Item No. 9.1 continued***Reason for condition******To clarify the scope of the permit.*****TASWATER**

TW The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2016/00479-HCC dated 26/04/2016 as attached to the permit.

Reason for condition***To clarify the scope of the permit.*****HERITAGE**

HERs1 The recommendations detailed in Section 9 of the Kostoglou/Watton Statement of Historical Archaeological Significance (submitted as part of the application documentation) must be implemented throughout the construction works.

A report on the findings of those archaeological works must be submitted to the planning authority within six months of the completion of works.

Reason for condition***To protect the heritage values of the area.***

HERs2 The recommendations of the Arborist Impact Assessment (Romanski 27/11/15 as submitted with the application) for trees 1 and 2 as identified in that document must be implemented throughout the construction works.

Reason for condition***To protect the heritage values of the area.*****ENVIRONMENTAL**

ENV1 Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be maintained until all areas of disturbance have been stabilized or revegetated.

cont.../

Item No. 9.1 continued

Advice: For further guidance in preparing Soil and Water Management Plans in accordance with Fact Sheet 3 Derwent Estuary Program go to www.hobartcity.com.au development engineering standards and guidelines.

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State Legislation.

ENV2 The landslide risk mitigation measures recommended in the letter from Terroir Pty Ltd dated 16 May 2016 must be implemented during the works.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENGINEERING

ENG1 The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development.

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strip, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction.

cont.../

Item No. 9.1 continued

In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENGsw The cost of any alterations to the Council's or third-party infrastructure incurred as a result of the proposed development works must be met by the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENGsw1 The Council's stormwater infrastructure within five metres of the proposed works must be protected from damage during the construction of the development.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENGsw3 The proposed works (including footings and overhangs) must be designed to ensure the long term protection of and access to the Council's stormwater infrastructure.

A detailed design certified by a suitably qualified engineer must be submitted and approved prior to issue of any consent under the Building Act 2000. The detailed design must:

- Demonstrate that no additional loads are imposed on the stormwater main;

cont.../

Item No. 9.1 continued

- Demonstrate that the structure is entirely independent of the main and its trenching;
- Demonstrate how adequate access to the main is maintained for both maintenance and future capacity upgrade works;
- Include cross-sections which clearly state minimum separation; and
- Include certification by a suitably qualified engineer that the works do not impose any loads on the stormwater main and the structure is entirely independent of the main and its trenching.

Prior to issue of any Certificate of Completion a suitably qualified engineer must confirm the installation of the works within five metres of Council's stormwater main is in accordance with the approved drawings and complies with this condition. Should any remediation works be required, these must be carried out at the developer's cost.

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

Advice: Once the detailed design drawings has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

In this case, Council will accept a minimum separation of 3m from footings on the western side of Park Street Rivulet, with any works within this zone to be demountable.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENGsw4 Council stormwater infrastructure must be carefully and accurately located onsite, and marked on the ground.

cont.../

Item No. 9.1 continued

Prior to construction of the footings, the stormwater pipe and clearance must be inspected and confirmed by the Council's Project and Development Inspector to ensure the minimum separation is achieved.

Reason for condition***To ensure the protection of the Council's hydraulic infrastructure.***

ENGsw5

Construction of the works must not adversely impact Park Street Rivulet.

A Construction Management Infrastructure Protection Report must be submitted and approved prior to commencement of works. The report must:

- be prepared by a suitably qualified and experienced engineer;
- detail the proposed construction methodology and identify all potential risks to the Rivulet during construction including but not limited to construction loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm;
- provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks; and
- include a monitoring regime.

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

Reason for condition***To ensure the protection of the Council's hydraulic infrastructure.***

ENGsw7/8

The development must be drained to Council infrastructure. Any new public stormwater infrastructure required, including connections, must be constructed prior to issue of a Certificate of Completion.

cont.../

Item No. 9.1 continued

Detailed design drawings showing both existing and proposed services must be submitted and approved, prior to issue of any consent under the *Building Act 2000*.

The detailed design drawings must include:

- The title boundaries, with each Lot serviced separately by Council infrastructure and all private plumbing contained within each Lot;
- The location, size and design of the connection(s);
- Long-sections of the proposed infrastructure clearly showing any nearby services, cover, size, material, access points (including safe working space); gradients;
- The public piped stormwater infrastructure must be sized to accommodate at least the 5% AEP flows from the catchment;
- Clearly distinguish between public and private infrastructure, and the ownership of any private plumbing;
- Be checked and certified by a qualified and experienced engineer.

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

Advice: Once the detailed design drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement). Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to initiate an application for service connection.

The construction of public infrastructure will require a Permit to Construct Public Infrastructure.

Reason for condition

To ensure the site is drained adequately.

cont.../

Item No. 9.1 continued

ENGtr1

The proposed bridge and associated infrastructure within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the bridge and associated infrastructure within the Brooker Avenue and Bathurst Street highway reservation must be submitted and approved, prior to the commencement of work and must:

- Be prepared and certified by a suitable qualified person and experienced engineer;
- Demonstrate that the bridge will not undermine the stability of the highway reservation;
- Take into account and reference accordingly any geotechnical findings;
- Show the location of existing and proposed services and infrastructure;
- Include a lighting design in accordance with AS 1158 standards;
- Show any changes to traffic lanes and parking in detail;
- Show the construction of any new footpath in accordance with the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Include design and certification of any pedestrian and vehicle barriers in accordance with the Department of State Growth Specifications Guidelines and procedures, Australian/New Zealand Standard AS / NZS 1170.1 and/or the (IPWEA) LGAT – Tasmanian Standard Drawings;
- Be in accordance with the Department of State Growth Specifications and all other relevant Standards, Guidelines and procedures; and

cont.../

Item No. 9.1 continued

- Include a safe design of structures assessment in accordance with the *Safe Design of Structures Code of Practice* (as adopted under section 274 of the *Work Health and Safety Act 2012*) and supply to the Council any documentation from the norm for the ongoing maintenance and replacement of any structures within the Highway Reservation.

All work required by this condition must be undertaken in accordance with the approved design drawing and structural certificates.

Once the works have been completed, the as constructed drawings must be submitted to the Council.

Advice: Once the design drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGtr2 A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work. The construction traffic and parking management plan must:

- (a) Be prepared by a suitably qualified person, by the Council;
- (b) Develop a communications plan to advise the wider community of the traffic and parking impacts during construction;
- (c) Include a start date and finish dates of various stages of works;

cont.../

Item No. 9.1 continued

- (d) Include times that trucks and other traffic associated with the works will be allowed to operate;
- (e) Nominate a superintendant or like to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice: Once the construction traffic and parking management plan has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

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 www.hobartcity.com.au 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.

If a condition endorsement is required by a planning condition above, please forward documentation required to satisfy the condition to rfinformation@hobartcity.com.au, clearly identifying the planning permit number, address and the condition to which the documentation relates.

cont.../

Item No. 9.1 continued

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

www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement.

- Building permit in accordance with the Building Act 2000; www.hobartcity.com.au/Development/Building.
- Plumbing permit under the *Tasmanian Plumbing Regulations 2014*; www.hobartcity.com.au/Development/Plumbing.
- Permit for the occupation of the public highway for construction e.g. placement of crane, scissor lift etc) [http://www.hobartcity.com.au/Transport/Permits/Construction Activities Special Events in the Road Reservation](http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation).
- Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve) [http://www.hobartcity.com.au/Transport/Lighting Roads Footpaths and Street Cleaning/Roads and Footpaths](http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths).
- Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones. [http://www.hobartcity.com.au/Transport/Permits/Parking Permits](http://www.hobartcity.com.au/Transport/Permits/Parking_Permits).
- Any damage to council's infrastructure must be reported to Council's compliance area. Please note the developer is liable for any damage to property or person due to unsafe and/or damaged infrastructure within or supporting the highway reservation and the developer should review their insurance.
- Please note development must be in accordance with the Hobart City Council's Highways By-law <http://www.hobartcity.com.au/Council/Legislation>.
- Fees and charges http://www.hobartcity.com.au/Council/Fees_and_Charges.
- Dial before you dig www.dialbeforeyoudig.com.au.

cont.../

Item No. 9.1 continued

If you do not have access to the Council's electronic webpage, please phone the Council (City Planning) on 623 82715 for assistance.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Acting Lord Mayor Christie
Zucco
Briscoe
Ruzicka
Sexton
Burnet
Cocker
Reynolds
Denison
Harvey

NOES

10. HOBART INTERIM PLANNING SCHEME 2015 – CENTRAL BUSINESS ZONE – HEIGHT STANDARDS – PERFORMANCE CRITERIA REVIEW – PROJECT BRIEF – FILE REF: 32-13-4

Ref: Open CPC 7, 4/7/2016

Attachment Pages 20-47

Project brief amended as outlined in the minutes of the City Planning Committee meeting of 4 July 2016.

That the Council endorse the attached project brief to review the performance criteria and related objectives used in the height standards in the Central Business Zone and the Commercial Zone in the *Hobart Interim Planning Scheme 2015*, and invite Leigh Woolley – Architect and Urban Design Consultant to submit a quotation to undertake the project.

BRISCOE
THOMAS

That the recommendation be adopted.

AmendmentBURNET
SEXTON

That as part of any consideration of form and streetscape, the Council also consider utilising a range of community engagement activities similar to the Hobart Talks Forum and the Institute of Architects Open Homes program.

Procedural MotionRUZICKA
HARVEY

That the matter be deferred back to committee for further consideration of the concerns raised at the Council meeting.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

**11. 16TH INTERNATIONAL CITIES, TOWN CENTRES AND COMMUNITIES
CONFERENCE – LAUNCESTON – 9-11 NOVEMBER 2016 –
ALDERMANIC NOMINATIONS – FILE REF:13-2-22**

Ref: Open CPC 8, 4/7/2016

- That: 1. Alderman Burnet attend the 16th International Cities, Town Centres and Communities Conference to be held in Launceston from 9–11 November 2016.
- (i) The estimated cost of attendance is \$1,493 per person, inclusive of full registration fees, accommodation and other incidental expenditure.
2. Further Aldermanic nominations be sought.

BRISCOE
ZUCCO

That the recommendation be adopted, noting that Aldermen Ruzicka and Harvey will also attend the conference.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

**MOTION OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16
(5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES)
REGULATIONS 2015**

In accordance with Council policy the following Notice of Motion which was amended and adopted by the Economic Development and Communications Committee, is submitted for consideration by the Council.

**12. INSTALLATION OF TRADITIONAL CHRISTMAS TREE IN
SALAMANCA – FILE REFS: 13-1-9 & 13-25-2**

Ref: Open EDCC 5, 23/6/2016

ALDERMAN ZUCCO

“That a report be prepared that provides options for Council to consider the installation of a traditional Christmas tree in Salamanca, and or other parts of the city, for the 2016 season.

The report canvas various options for this to occur and in particular the Council officers liaise with Norske Skog regarding this proposal with an intent to discuss options for a potential sponsorship arrangement that may provide Council with an appropriate tree for this purpose.

Rationale:

As Council is well aware the establishment of a bespoke sculpture tree created significant adverse publicity for Council. After visiting a number of Australian cities prior to and during the Christmas season, in particular the City of Melbourne which has traditional Christmas trees throughout the city over the festive season that have overwhelmingly been embraced by the public, I am of the view that the City of Hobart should revert to installing a traditional tree in Salamanca Square.

The public outcry against the sculpture in Salamanca Square was a sad distraction from what should have been a joyous build up to the festive season. It is our duty as a Council to admit that we could have done better and that in 2016, we will do so and go back to a traditional tree.

Some years ago Council sought Christmas trees from various businesses. I have had some preliminary discussions with Arnold Willems the Fibre, Supply and Logistics Manager from Norske Skog who has indicated he would gladly discuss this proposal and would be interested in pursuing discussions with Council regarding a sponsorship or similar arrangement.

To counter any adverse reaction about the current sculpture and its future use, perhaps it could be installed in a more fitting location, perhaps near the Art School on the waterfront.”

cont.../

Item No. 12 continued**The General Manager reports:**

“That in accordance with Clause 5 of the Notices of Motions procedures, I provide the following qualification as to whether the substance of this Notice of Motion resides within the jurisdiction of the Hobart City Council as it relates to the City of Hobart’s Christmas decorations program.”

ZUCCO

HARVEY

That the motion be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Acting Lord Mayor Christie

Zucco

Briscoe

Sexton

Thomas

Denison

Harvey

NOES

Ruzicka

Burnet

Cocker

Reynolds

CITY INFRASTRUCTURE COMMITTEE**13. FUTURE ROAD RESERVATION PROJECTS – FILE REF: 42-1-3**

Ref. Open CIC 5, 22/6/2016

That: 1. The following road reservation projects be funded from the Road Strategy and Projects budget function and constructed in 2018-2019 within the current three year Capital Works Program:

- (i) Lansdowne Crescent between 60 Lansdowne Crescent and Allison Street - footpath and drainage improvements, at an estimated cost of \$165,000.
- (ii) Liverpool Crescent, near 12 Liverpool Crescent – improvements to intersection and pedestrian access, at an estimated cost of \$25,000.
- (iii) Midwood Street between Tower Road and New Town High School - new kerb and road shoulder sealing, at an estimated cost of \$35,000.

cont.../

Item No. 13 continued

2. The following project be listed and considered for funding beyond the current three year Capital Works Program:
 - (i) Romilly Street from near 26 Romilly Street to the Romilly Street bridge - new footpath, at an estimated cost of \$450,000.

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Ruzicka	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

The Acting Lord Mayor declared an interest in item 14 and retired. Alderman Zucco took the Chair.

GOVERNANCE COMMITTEE

14. LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – GENERAL MEETING MOTIONS – FILE REF: 12-50-7

Ref. Open GC 5, 5/7/2016

That the Council endorse the motions, marked as Attachment A to item 5 of the Open Governance Committee agenda of 5 July 2016, listed for consideration at the Local Government Association of Tasmania General Meeting to be held on Wednesday 20 July 2016, with the following amendments:

- (i) 'Bass Link' cable motion
 - (a) The Hobart City Council support a feasibility study being undertaken in relation to replacement of the Bass Link cable with further consideration to be given to this matter at the conclusion of that process.

cont.../

Item No. 14 continued

- (b) The State Government explore opportunities for the State to be self-reliant on renewal energy for its power generation.
- (ii) The 'Tourism Infrastructure' funding motion be subject to a clear and transparent application process.
- (iii) The 'Decreased Speed Limit' motion be applied to all motorists who pass an emergency incident.

RUZICKA
BRISCOE

That the recommendation be adopted.

Amendment
DENISON
THOMAS

1. The word *second* be inserted into Clause (i)(a) following the words *replacement of the*.
2. The word renewal shown in Clause (i)(b) be substituted with the word *renewable*.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Zucco
Briscoe
Ruzicka
Sexton
Burnet
Cocker
Thomas
Reynolds
Denison
Harvey

SUBSTANTIVE MOTION CARRIED

cont.../

Item No. 14 continuedVOTING RECORD

AYES

NOES

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

The Acting Lord Mayor returned and resumed the Chair.

**15. 2016 DELEGATIONS REVIEW – COUNCIL DELEGATIONS TO THE
GENERAL MANAGER AND AFFIXATION OF THE COMMON SEAL –
FILE REF: 10-4-1**

Ref. Open GC 6, 5/7/2016

- That:
1. The General Manager be delegated the powers and functions of the Council in accordance with the instruments of delegation marked as Attachment A to item 6 of the Open Governance Committee agenda of 5 July 2016.
 2. The Council endorse the delegation in respect to the affixation of the Common Seal in accordance with the instrument of delegation marked as Attachment B to item 6 of the Open Governance Committee agenda of 5 July 2016.
 3. Pursuant to Section 124 of the Local Government (Highways) Act 1982 (“the Act”), the Director City Infrastructure and Manager Traffic Engineering be delegated the power to:

cont.../

Item No. 15 continued

- (i) close a local highway or part of a local highway in the municipality pursuant to Section 19(1)(a) of the Act; and
- (ii) grant exclusive licences to occupy part of a local highway pursuant to Section 19(1)(c) of the Act;

for a purpose in connection with a public function or in order to facilitate work on land adjoining a local highway.

RUZICKA
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SPECIAL REPORT – GENERAL MANAGER

16. ALDERMANIC PROFESSIONAL DEVELOPMENT

The General Manager reports:

“The purpose of this memorandum is to inform the Council of the approval of an application for professional development received in accordance with the policy titled *Alderman Development and Support*.

In accordance with the policy, the General Manager is to inform the Council at the first available ordinary meeting after an application for professional development has been approved, for noting purposes only.

cont.../

Item No. 16 continued

The Deputy Lord Mayor has approved the following professional development:

Lord Mayor Alderman Hickey:

- Australian Institute of Company Directors (AICD)
short course – Applied Risk Governance \$475.00
- AICD short course – Boardroom Financial Acumen \$855.00

Referred for noting.”

ZUCCO

THOMAS

That the information be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

**17. ALDERMAN COCKER – RESIGNATION FROM THE FINANCE
COMMITTEE AND RISK AND AUDIT PANEL – FILE REF: 13-1-2**

The General Manager reports:

“Alderman Cocker has advised of his resignation from the Finance Committee and the Risk and Audit Panel. As Alderman Cocker is the Chairman of the Finance Committee, this position also becomes vacant.

In accordance with Section 22 of the *Local Government Act* 1993, the Council is responsible for the appointment of members to its committees. The Council’s policy titled *Meetings: Procedures and Guidelines* provides that the determination of the Chairmen of Council and Special committees is reserved to the Council.

cont.../

Item No. 17 continued

Upon the Council receiving Alderman Cocker's resignation, the following vacancies will be filled:

1. Member of the Finance Committee;
2. Chairman of the Finance Committee;
3. Member of the Risk and Audit Panel.

Nominations will be sought at the Council meeting to fill these vacancies.

The *Local Government (Meeting Procedures) Regulations 2015*, Regulation 27(4) provides that voting at a meeting may be conducted by secret ballot if the purpose is to select a person to represent the Council on a committee or other body.

Recommendation:

- That:
1. The Council receive and note the resignation of Alderman Cocker from the Finance Committee and the Risk and Audit Panel.
 2. Nominations be called to fill the vacancy of member of the Finance Committee.
 3. Upon determination of the replacement member of the Finance Committee, nominations be invited from Committee members to fill the role of Finance Committee Chairman.
 4. Nominations be called to fill the vacancy of member of the Risk and Audit Panel.

RUZICKA
DENISON

That Clause 1 and 2 of the recommendation be adopted and that Alderman Thomas be nominated to fill the vacancy of member of the Finance Committee.

The Acting Lord Mayor called for further nominations, Alderman Burnet nominated Alderman Harvey.

COCKER
BRISCOE

That the composition of the Finance Committee remain at five members, and a secret ballot be conducted to determine membership of the Finance Committee.

cont.../

Item No. 17 continued

MOTION CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Ruzicka	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

A secret ballot was then conducted and the Acting Lord Mayor declared Alderman Thomas elected to the Finance Committee, six votes to five.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Ruzicka	
Sexton	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

RUZICKA
HARVEYThat Alderman Thomas be nominated as
Chairman of the Finance Committee.

The Acting Lord Mayor called for further nominations. There were no nominations and therefore the Acting Lord Mayor declared Alderman Thomas the Chairman of the Finance Committee.

MOTION CARRIED

cont.../

Item No. 17 continuedVOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

RUZICKA

SEXTON

That Alderman Thomas be nominated to fill the
vacancy of member of the Risk and Audit
Panel.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie

Zucco

Briscoe

Ruzicka

Sexton

Burnet

Cocker

Thomas

Reynolds

Denison

Harvey

18. CLOSED PORTION OF THE COUNCIL 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 – File Ref: 13-2-2
LG(MP)R 15(2)(h)
- Item No. 4 Consideration of Supplementary Items to the Agenda
- Item No. 5 Indications of Pecuniary and Conflicts of Interest
- Item No. 6 Christmas Decorations – File Ref: 13-25-2
LG(MP)R 15(2)(d)
- Item No. 7 Public Wi-Fi – File Ref: 42-10-2
LG(MP)R 15(2)(c)
- Item No. 8 Carols by Candlelight – File Ref: 13-23-3
LG(MP)R 15(2)(d)

RUZICKA
COCKER

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie
Zucco
Briscoe
Ruzicka
Sexton
Burnet
Cocker
Thomas
Reynolds
Denison
Harvey

The Chairman adjourned the meeting at 5.45 pm to conduct the closed portion of the meeting.

The meeting reconvened at 5.51 pm.

Item 18 was then taken.

There being no further business the meeting closed at 5.52 pm.

TAKEN AS READ AND SIGNED
AS A CORRECT RECORD THIS
25TH DAY OF JULY 2016.

CHAIRMAN