



# CITY OF HOBART COUNCIL MEETING

OPEN PORTION  
MINUTES  
MONDAY, 25 JULY 2016  
AT 5:10 PM  
COUNCIL CHAMBER, TOWN HALL



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## ORDER OF BUSINESS

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**PRESENT:**

The Lord Mayor Alderman Hickey,  
The Deputy Lord Mayor Alderman Christie,  
Aldermen Zucco, Briscoe, Ruzicka, Sexton, Burnet, Cocker, Thomas, Reynolds,  
Denison and Harvey.

Alderman Thomas left the meeting at 5.21 pm and returned at 5.25 pm.

Alderman Zucco left the meeting at 5.25 pm after declaring an interest in item 9.2 and returned at 6.00 pm.

The Lord Mayor, Aldermen Thomas and Denison left the meeting at 6.31 pm after declaring an interest in item 11 and returned at 6.46 pm.

Alderman Harvey left the meeting at 7.05 pm after declaring an interest in item 16 and returned at 7.09 pm.

Alderman Thomas left the meeting at 7.11 pm after declaring an interest in item 18 and returned at 7.35 pm.

Alderman Cocker left the meeting at 7.24 pm after declaring an interest in item 20 and returned at 7.47 pm.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

**1. CONFIRMATION OF MINUTES**

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The Chairman reported that she had perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 11 July 2016](#), found them to be a true record and recommended that they be taken as read and signed as a correct record.

DEPUTY LORD MAYOR CHRISTIE  
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

The minutes were signed.

**2. TRANSFER OF AGENDA ITEMS**

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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**

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**3.1 CONDOLENCE TO THE FAMILY OF MRS VOULA DELIOS**

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The Deputy Lord Mayor noted with deep sadness the tragic death of Voula Delios on Saturday 23 July.

Voula was a highly respected business and community member in North Hobart.

A minutes' silence was observed by those in attendance at the meeting.

DEPUTY LORD MAYOR CHRISTIE  
ZUCCO

That the Council offer sincerest condolences to the Delios family on their tragic loss.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

#### **4. NOTIFICATION OF COUNCIL WORKSHOPS**

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No workshops were conducted since the last Council meeting.

#### **5. PUBLIC QUESTION TIME**

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##### **5.1 Public Question - Battery Point Foreshore Shared Accessway File Ref: 13-1-17**

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Dr M Loughhead put the following questions and was provided with the corresponding responses by the Lord Mayor on behalf of the Council.

- 1. On 1-6-2015 the RMPAT determined that the HCC proposal for a Battery Point Foreshore Shared Accessway be rejected on 7 separate grounds including that HCC had put in an incomplete proposal. I note in the agenda documents for the combined meeting of multiple HCC committees to be held on 20-4-2016 that both Appendix A and B record Battery Point walkway 2016/17 \$50,000, 2017/18 \$50,000, 2018/19 \$3,000,000. For what exactly are these sums of money allocated?***

Thank you for your questions Dr Loughhead.

Before I provide the verbal response, I confirm that you will receive written notification of this response from the Council after today's meeting.

Following the Resource Management Planning Appeal Tribunal decision, the Council took the position that facilitating movement in and around Battery Point and its foreshore is appropriate and would provide great community benefit and make a meaningful contribution to the amenity of Hobart.

The Council is open to exploring possible avenues available to progress a project that facilitates movement in and around Battery Point and its foreshore.

To that end, on 25 January 2016, the Council resolved, *inter alia*, that a report be prepared that details options available as a means of facilitating movement in and around Battery Point and its foreshore and addresses the following:

- The implementation, in the short term, of the formalisation of an existing road route through Battery Point.
- Analysis of the options to include detail on the following:
  - Estimated financial implications
  - Planning and legal implications
  - How the proposal relates to the City of Hobart Strategic Plan 2015-2025
- Analysis of any opportunity costs in respect to proceeding or not proceeding with a shared accessway, including its impact with other planned projects.

Subsequent to that decision, a special joint committee meeting of the Community, Culture and Events; City Planning; Finance; City Infrastructure; Economic Development and Communications; Parks and Recreation and Governance Committees on the 20 April 2016 considered a proposed 10-year Capital Works Program.

The reference to “Battery Point Walkway - Stage 1” in the 10-year capital works program allocates \$50,000 in 2016/17 for the purposes of progressing the Council’s resolution of 25 January 2016 and a further \$50,000 in 2017/18 to complete that work.

The allocation of \$3M in 2018/19 is to progress a subsequent proposal that the Council may wish to pursue that emanates from the earlier analysis.

It should be noted that while the Council approved the 2016/17 capital works program, the program for the years 2017/18 and 2018/19 was approved in-principle for the purposes of preliminary planning.

The Council further resolved that the 10-year capital works program and funding strategy be reviewed annually.

- 2. The agenda papers for the same combined HCC committees meeting on 20-04-2016 include the following: Assumed grants have been included for: 6.1.3.1 Battery Point Walkway: \$3M. Who has provided that grant and what are the conditions that apply to that grant?**

The report to the special joint committee meeting of the Community, Culture and Events; City Planning; Finance; City Infrastructure; Economic Development and Communications; Parks and Recreation and Governance Committees on the 20 April 2016 discussed funding sources for the 10-year capital works program.

Grant funding was identified as one funding source and was aligned with projects that could potentially attract grant funding. The reference to 'assumed grants' is just that, it is assumed that grant funding could be pursued for some projects, including a project that facilitates movement in and around Battery Point and its foreshore, should one proceed in the future. It follows therefore that a grant has not been provided at this point in time.

## **6. PETITIONS**

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No petitions were received.

## **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

### **RECOMMENDATION**

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

No supplementary items were received.



## **8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

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

The following interests were indicated:

1. Lord Mayor Hickey – Item 11
2. Alderman Zucco - Item 9.2
3. Alderman Thomas – Items 11 and 18
4. Alderman Denison - Item 11
5. Alderman Harvey - Item 16

## REPORTS OF COMMITTEES

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### CITY PLANNING COMMITTEE

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#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

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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.

##### 9.1 596 Nelson Road, Mount Nelson - Subdivision (2 Additional Lots) PLN-16-00407-01 - File Ref: F16/81721; P5625974

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Ref: Open CP 7.1.1, 18/07/2016  
Application Expiry Date: 17 August 2016  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (2 additional Lots) at 596 Nelson Road, Mount Nelson for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 18 July 2016, 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 PLN160040701 596 Nelson Road Mount Nelson Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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 2016/00497HCC dated 03/05/2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENGsw5

The stormwater system must be designed and constructed prior to the sealing of the final plan. Engineering drawings must be submitted and approved, prior to commencement of work.

The engineering drawing must:

- (i) Be certified by a qualified and experienced civil engineer.
- (ii) Show in both plan and longsection the proposed stormwater mains including, but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings.
- (iii) Detail any alterations required to the Council's existing stormwater system, including the table drains and receiving pit, as a consequence of the proposed subdivisional works.
- (iv) Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e. including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully developed catchment. All work required by this condition must be undertaken in accordance with the approved engineering drawings.

Advice: Once the engineering drawings have been approved 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 the Council's Roads and Environmental Engineering Unit to obtain a permit to construct public infrastructure. Prior to the issue of a Permit to Construct Public Infrastructure, an Infrastructure Bond must be paid for the protection of the Council's infrastructure, to be released at the end of the maintenance period should no damage occur.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council. A photographic record of the Council 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 strips, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. 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 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 infrastructure and/or site related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENV 15

All construction vehicles and machinery must be effectively cleaned of soil both before entering and before leaving the property.

Soil cleaned from construction vehicles and machinery must not be allowed to either directly or indirectly enter waterways or the Council's stormwater system.

Note: further information on effective measures for wash down can be found at [www.dpipwe.tas.gov.au/Documents/WashdownGuidelinesEdition1.pdf](http://www.dpipwe.tas.gov.au/Documents/WashdownGuidelinesEdition1.pdf)

Reason for condition

To minimise the spread of weeds and pathogens.

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 re vegetated.

Advice: For further guidance in preparing a Soil and Water Management Plans (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to [www.hobartcity.com.au/development/engineering/standards-and-guidelines](http://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.

ENV 4

An approved tree retention plan must be observed and implemented at all times during the subdivision works.

A tree retention plan must be submitted and approved prior to commencement of works. The plan must:

- (i) identify trees to be retained and protected during both the subdivision works and thereafter (without further approval from the planning authority);
- (ii) show lot boundaries, service easements and bushfire hazard management plan building envelopes;
- (iii) aim to maximise the number of significant native habitat trees retained on the site with a diameter at breast height of 25cm or greater, including consideration of tree;
- (iv) health/condition, proximity to lot boundaries and any predicted need for boundary fencing, proximity to crossovers, service easements, the final BHMP building;
- (v) envelopes and likely driveway locations; be prepared based on the advice of a suitably qualified person; be accompanied by an explanatory document justifying the trees chosen for retention and removal; and
- (vi) include tree identification and protection measures to be followed during site works to ensure the trees to be retained are not damaged or destroyed.

Compliance with the plan must also be required via a Part 5 Agreement (refer to Condition Part 5 1).

All work required by this condition must be undertaken in accordance with the approved tree retention plan.

Advice: Please note that the BHMP building envelopes can be modified and should be configured and located to maximise the retention of the most significant habitat trees in good condition.

Once the tree retention plan 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 biodiversity impacts associated with the development are minimised.

ENV s2

An amended bushfire hazard management plan must be submitted and approved, prior to sealing of the Subdivision Plan and prior to the commencement of works. The amended bushfire hazard management plan must:

- (i) Include consistent prescriptions for establishment and maintenance of the hazard management area, to satisfy the above requirement.
- (ii) Compliance with the approved amended bushfire hazard management plan must also be required via a Part 5 Agreement (refer to Condition Part 5 1).

Advice: The prescriptions for the hazard management area in the 'Compliance Requirements' 'Recommendations' and Figure 1 of the submitted BHMP are slightly different. Please note that the amended BHMP can include different building envelopes (subject to Council approval). Once the amended BHMP has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the requirements of the Bushfire Hazard Management Plan are clear and consistent.

SURV 1

The applicant is to submit to the Council a copy of the Surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 2

The final plan and schedule of easements must be submitted for approval by the Council in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Councils' requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

SURV 3

The final plan and schedule of easements must be submitted for approval by the Council under section 89 *Local Government (Building & Miscellaneous Provisions) Act 1993*. The final plan and schedule of easements must provide easements to the satisfaction of the Council:

- (i) Over the proposed storm water and sewer mains passing through lot 1 on the final plan, in favour of the Hobart City Council and TasWater (minimum width 3m).

Reason for condition

To ensure that there are no impediments to the provision of public and private services and access to the lots.

ENG 14

Services to each lot must be designed and installed to meet the needs of future development, prior to the sealing of the final plan.

Engineering drawings must be submitted and approved prior to commencement of work on the site. The engineering drawings must:

- (i) be prepared by a suitable qualified person and experienced engineer;
- (ii) be generally in accordance with LGAT IPWEA Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following;
- (iii) clearly distinguish between public and private infrastructure.

All work required by this condition must be constructed in accordance with the approved engineering drawings.

Note: The guidelines and standards are available at [http://www.hobartcity.com.au/Development/Engineering\\_Standards\\_and\\_Guidelines](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines)

Advice: Once the engineering drawings have been approved, the Council will issue a condition endorsement. Please note that once the condition endorsement has been issued you will need to contact Council's City Infrastructure Division to obtain a Permit to Construct Public Infrastructure and an application for new stormwater connection.

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

Part 5 1

The owner(s) of 596 Nelson Road must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to compliance with the approved amended bushfire hazard management plan (refer condition ENVs2) and approved tree retention plan (refer condition ENV4) prior to the commencement of work and prior to sealing of the Subdivision Plan.

The Part 5 Agreement must:

- (i) require implementation of the bushfire hazard management plan prior to the first occupation of a habitable building on the new lots;

- (ii) require maintenance the bushfire hazard management plan for the life of all habitable buildings on the new lots;
- (iii) allow for the bushfire hazard management plan to be amended or replaced by the planning authority;
- (iv) require the tree retention plan to be observed unless the written approval of the planning authority is obtained; and
- (v) require buildings constructed on the lot to be generally designed and constructed in accordance with the recommendations of the WWFAustralia publication "Minimising The Swift Parrot Collision Threat: Guidelines and recommendations for parrotsafe building design" (2008), to the satisfaction of the planning authority.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: Further information with respect to the preparation of a Part 5 agreement can be found at:

[http://www.hobartcity.com.au/Development/Planning/Part\\_5\\_agreements](http://www.hobartcity.com.au/Development/Planning/Part_5_agreements)

Reason for condition

To ensure the development complies with the provisions of the Bushfire Prone Areas Code and the Biodiversity Code of the *Hobart Interim Planning Scheme 2015*.

OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lots 1 and 2 comprised in the final plan, in lieu of the provision of public open space within the subdivision.

Advice: The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. The attached request must be completed to enable the valuation to be undertaken.

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.



## 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, bylaws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit [www.hobartcity.com.au](http://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 [rfiinformation@hobartcity.com.au](mailto:rfiinformation@hobartcity.com.au), clearly identifying the planning permit number, address and the condition to which the documentation relates.

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](http://www.hobartcity.com.au/Development/Planning/How_to_obtain_a_condition_endorsement)

- Building permit in accordance with the Building Act 2000;  
<http://www.hobartcity.com.au/Development/Building>
- Plumbing permit under the Tasmanian Plumbing Regulations 2014;  
<http://www.hobartcity.com.au/Development/Plumbing>
- 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)

### Stormwater

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Hydraulic Services By law. <http://www.hobartcity.com.au/Council/Legislation>

### Work within the Highway Reservation

Please note development must be in accordance with the Hobart City Council's Highways By law.  
<http://www.hobartcity.com.au/Council/Legislation>

### Driveway surfacing over highway reserve

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation

required in the future.

#### Access

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design.

[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)

Waste disposal Top ten tips

[http://www.hobartcity.com.au/Environment/Recycling\\_and\\_Waste](http://www.hobartcity.com.au/Environment/Recycling_and_Waste)

Fees and charges

[http://www.hobartcity.com.au/Council/Fees\\_and\\_Charges](http://www.hobartcity.com.au/Council/Fees_and_Charges)

Dial before you dig

[www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au)

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 6238 2715 for assistance.

BRISCOE  
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Alderman Zucco declared an interest in item 9.2 and retired.

**9.2 119 New Town Road, Adjacent Road Reservation, New Town - Demolition and New Development for Food Services and 16 Multiple Dwellings  
PLN-16-00401-01 - File Ref: F16/81913; P5515716**

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Ref: Open CP 7.1.2, 18/07/2016  
Application Expiry Date: 18 July 2016  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for demolition and new development for food services and 16 multiple dwellings at 119 New Town Road and adjacent road reservation, New Town, for the following reasons:

1. The proposal does not meet the acceptable solution nor the performance criteria in respect to clause E13.8.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it will result in the demolition of a building that contributes to the historic cultural heritage significance of the precinct, and it has not been demonstrated that there are not any prudent or feasible alternatives, or that there are no opportunities for a replacement building that will be more complementary to the heritage values of the precinct.
2. The proposal does not meet the acceptable solution nor the performance criteria in respect to clause E13.8.2 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because it will result in detriment to the historic cultural heritage significance of the precinct.

BRISCOE

DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Ruzicka  
Sexton  
Burnet  
Cocker  
Reynolds  
Harvey

NOES

Lord Mayor Hickey  
Deputy Lord Mayor Christie  
Briscoe  
Thomas  
Denison

**9.3 14 Oberon Court, Adjacent Road Reservation, Dynnyrne - Partial Demolition, Alterations, Extension, Decking and Pedestrian Access Bridge PLN-16-00381-01 - File Ref: F16/81841**

Ref: Open CP 7.1.3, 18/07/2016

Application Expiry Date: 12 June 2016

Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, decking and pedestrian access bridge at 14 Oberon Court and adjacent road reservation, Dynnyrne, for the reasons outlined in the officer's report attached to supplementary item 7.1.3 of the Open City Planning Committee agenda of 18 July 2016, 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-16-00381-01 - 14 Oberon Court, Adjacent Road Reservation - Dynnyrne - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

**ENG 1**

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

A photographic record of the Council 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 strips, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. 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 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the

owner's full cost.

## ENGR 1

The footings and other supporting structures for the pedestrian deck 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 pedestrian bridge, footings and connecting concrete pad within the Oberon Court highway reservation must be submitted and approved, prior to the commencement of work and must:

- Be prepared and certified by a suitable qualified and experienced engineer;
- Not undermine the stability of the highway reservation;
- Detail the design and location of the footings within the Oberon Court Highway reservation;
- Detail the standard the concrete pad will be constructed too and how concrete pad will connect to the back of footpath/driveway and bridge, noting that it is required to be independent of the footpath and not create any trip hazards due to level difference between to pad and driveway;
- The structure certificated and/or drawings should note accordingly the above.

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

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.

## Part 5 1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection of the highway embankment within the Oberon Court highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Oberon Court highway reservation or the road formation themselves or

undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: Further information with respect to the preparation of a part 5 agreement can be found at  
[http://www.hobartcity.com.au/Development/Planning/Part\\_5\\_agreements](http://www.hobartcity.com.au/Development/Planning/Part_5_agreements)

Reason for condition

To ensure the protection of Council is retained.

#### 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 <http://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.

- Building permit in accordance with the *Building Act 2000*

[www.hobartcity.com.au/Development/Building](http://www.hobartcity.com.au/Development/Building)

- Plumbing permit under the *Tasmanian Plumbing Regulations 2014*

[www.hobartcity.com.au/Development/Plumbing](http://www.hobartcity.com.au/Development/Plumbing)

BRISCOE

DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**10. Hobart Interim Planning Scheme 2015 - Central Business Zone - Height Standards Performance Criteria Review**  
**File Ref: F16/82953; S32-013-04**

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Ref: Open CP 8.3, 18/07/2016

- That:
1. An Aldermanic workshop be scheduled to provide a brief summary regarding the operation of the current planning scheme, prior to the next City Planning Committee meeting.
  2. The Council endorse the project brief marked as Attachment A to item 10 of the Open Council agenda of 11 July 2016 and invite Leigh Woolley – architect and Urban Design Consultant to submit a quotation to undertake the project.

BRISCOE  
HARVEY

That the recommendation be adopted.

**AMENDMENT**

BURNET  
COCKER

- That: 1. *Clause 1 be amended to include the word 'urgent' prior to the word Aldermanic and to also include 'not only in respect to height but also in respect to the following issues; streetscapes, heritage value and solar penetration'.*
2. *Clause 2 be amended by the deletion of all words appearing after '2016'.*

AMENDMENT LOST

**VOTING RECORD**

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

MOTION CARRIED

**VOTING RECORD**

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



**COMMUNITY, CULTURE AND EVENTS COMMITTEE**

The Lord Mayor and Aldermen Thomas and Denison declared an interest in item 11 and retired.

The Deputy Lord Mayor took the Chair.

**11. Rotary Tasmania 2018 Conference - Request for Council Assistance**  
**File Ref: F16/78456; 15/144-4**

Ref: Open CCE 6.1, 13/07/2016

- That:
1. The Council decline the request from Rotary Tasmania for assistance towards hosting the Paul Harris Fellowship Reception for up to 200 guests, in the Town Hall on Friday 6 April 2018 as part of its forthcoming 2018 Conference.
  2. Subject to the Lord Mayor's agreement the Paul Harris Fellowship Reception be conducted as a civic reception in the Lord Mayor's Court Room in accordance with normal practice.

SEXTON  
COCKER

That the recommendation be adopted.

**PROCEDURAL MOTION**

RUZICKA  
REYNOLDS

That the matter be deferred for referral back to the Community, Culture and Events Committee, for further consideration pending information on the comparative costs of hosting the Paul Harris Fellowship Reception in the Town Hall Ballroom for 200 guests or the Lord Mayor's Court Room for 70 guests.

PROCEDURAL MOTION CARRIED

**VOTING RECORD**

**AYES**

Deputy Lord Mayor Christie  
Zucco  
Briscoe  
Ruzicka  
Sexton  
Burnet  
Reynolds  
Harvey

**NOES**

Cocker

**12. Draft Housing and Homelessness Strategy 2016 - 2019**

**File Ref: F16/80395; 15-12-3**

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Ref: Open CCE 6.2, 13/07/2016

That the Council endorse the draft Housing and Homelessness Strategy 2016 – 2019, marked as Attachment A to item 6.2 of the Open Community, Culture and Events Committee agenda of 13 July 2016, with the proposed actions to be included in the Social Inclusion Strategy Action Plan 2016/2017, marked as Attachment B to the same agenda.

SEXTON  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Ruzicka  
Thomas

**13. Community Development Grants Program - Policy and Guideline Amendments**

**File Ref: F16/78523**

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Ref: Open CCE 6.3, 13/07/2016

That the Council endorse the amendments to the Council's policy titled *Applications for Grants - Community Development Division* and associated guidelines, marked as Attachments A to H of item 6.3 of the Community, Culture and Events Committee agenda of 13 July 2016.

SEXTON  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**PARKS AND RECREATION COMMITTEE**

**14. Franklin Square - Fountain Lighting - Hire Fee Proposal**  
**File Ref: F16/78719**

Ref: Open PR 6.1, 14/07/2016

That the following fees be adopted for the hire and specification of lighting of the Franklin Square Fountain for the 2016/2017 financial year:

Franklin Square Fountain Lighting	
Commercial Event Promotion or Purpose	\$100 per application
Not for Profit/Charity Events/Community Service Purpose (or on behalf of)	25% of applicable fee per application

REYNOLDS

HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**15. New Town Oval Pavilion - Lower Function Room - Proposed Lease**  
**File Ref: F16/80045; 72-32-1**

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Ref: Open PR 6.2, 14/07/2016

That the General Manager be authorised to negotiate with both the St Virgils Old Scholars Football Club and the New Town District Cricket Club, to lease the New Town Oval Pavilion lower function room for a period of five years, including the following terms:

- (i) St Virgils Old Scholars Football Club – for a six month period from 1 April to 30 September annually, at an annual rental of \$625.
- (ii) New Town District Cricket Club – for a six month period from 1 October to 31 March annually, at an annual rental of \$625.
- (iii) The respective lessees be required to meet the cost of all outgoings, including electricity costs, maintenance and upkeep of the leased area.
- (iv) Annually, the outgoing lessee be required to vacate the leased space two weeks prior to the commencement period of the incoming tenant, to allow for inspection of the leased area and any minor housekeeping and maintenance requirements to be undertaken by the vacating lessee.
- (v) Any others terms as determined appropriate by the General Manager.

REYNOLDS  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Alderman Harvey declared an interest in item 16 and retired.

**16. Hobart Twilight Market - Request for Licence Amendment and Extension  
– Long Beach Reserve, Sandy Bay  
File Ref: F16/80066**

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Ref: Open PR 6.3, 14/07/2016

That: 1. The General Manager be delegated authority to issue a revised annual licence to the organisers of the Hobart Twilight Market, to operate a fortnightly market at Long Beach Reserve, Sandy Bay for the period between 1 October to 31 March each year, subject to the following terms and conditions:

- (i) The application of a fee of \$258.32 per market day plus any additional charges incurred by the City in response to the operation of the market, at the discretion of the General Manager.
- (ii) The use of Sandown Park 2 for the purposes of stallholder only parking, be approved with the following conditions:
  - (a) The application of the Council's approved fees and charges for the ground, listed for the 2016/2017 financial year at \$39 per hour;
  - (b) The use of the ground not negatively impacting on organised sporting or recreational use;

- (c) Any damage caused to the ground surface be repaired by the City at the organisers' full cost.
- (iii) A sustainable transport plan and a traffic management plan be submitted to the satisfaction of the General Manager.
- (iv) The request to remove the 'no standing' zone in Long Point Road, be declined.
- (v) The sale and consumption of alcohol in plastic cups within the market area at Long Beach Reserve be approved upon the applicants being successful in applying for a liquor licence from the Liquor and Gaming Branch, subject to the following conditions:
  - (a) The terms and conditions of the liquor licence issued by the Liquor and Gaming Branch be adhered to at all times; and
  - (b) The sale of alcohol be restricted to within the area of the park occupied by the Market, as set out in the City's licence to the Market operators.
- (vi) The Market run between the hours of 4.00 pm and 8.30 pm, on a Friday evening each fortnight.
- (vii) The General Manager have discretion to allow markets to be conducted in consecutive weeks in December to allow flexibility around Christmas.
- (viii) The Market be permitted to operate from 3.00 pm on any dates that fall outside of daylight savings times.
- (ix) The application be subject to all terms and conditions for the booking of Council parks including adherence with the Parks Recreation and Natural Area's By-Law.
- (x) The applicant be required to obtain a place of public assembly licence and any food permits required by the Council's Environmental Health Unit.
- (xi) The licence agreement be updated outlining the conditions of use of the area, including ensuring that the public use of the area is maintained whilst the Market is being staged and that the range of stalls at the Market are complimentary to other markets that are already running successfully in the City.
- (xii) The applicant must produce evidence of public liability insurance to the value of \$20 million.
- (xiii) The applicant will be responsible for any damage to Council

property, whether caused by the hirer or any other person or persons associated with the event.

- (xiv) Appropriate access to all pathways in the area of the Market must be maintained for pedestrian traffic and emergency access at all times.
  - (xv) Any signs or banners must have prior approval of the Council, including their location in the reserve area.
  - (xvi) All litter and waste generated by the function is to be removed from the area at the conclusion of each Market. The area is to be cleaned by the hirer after each usage of the site. The applicant is to provide sufficient bins on-site, in addition to those already in place to cater for any litter and waste generated.
  - (xvii) All food and beverages must be served in compostable containers and the applicant is to provide a three bin system for the disposal of food or beverages consumed on-site.
  - (xviii) A risk assessment be undertaken by the applicant, to the satisfaction of the General Manager, to ensure the site is suitable for the Market, including access to required facilities such as parking and toilet facilities.
  - (xix) The Market is not to be run during other special events that may be located in the area including the Sandy Bay Regatta, unless by agreement.
  - (xx) The licence agreement be subsequently reviewed on an annual basis by the General Manager with necessary changes applied to ensure Council's requirements continue to be met.
    - (a) The annual reviews take into consideration the following criteria:
      - Value;
      - Activation;
      - Impacts;
      - Sustainability.
2. Approval be granted to allow a long table dinner annually at the site subject to conditions around hours of operation, location and health requirements.
  3. The General Manager be authorised to amend or rescind any condition of this licence at any time, for any reason, as deemed appropriate.

REYNOLDS

THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**17. Garrington Park – 110 Giblin Street, Lenah Valley – New Subdivision -  
Naming Of New Park  
File Ref: F16/80774**

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Ref: Open PR 6.4, 14/07/2016

That pursuant to the Survey Co-ordination Act 1944, the Council recommend to the Nomenclature Board that the name 'Garrington Park' be assigned to a new park associated with the subdivision at 110 Giblin Street, Lenah Valley, after Andrew Garrington Kemp, a co-founder of the Kemp & Denning Company.

REYNOLDS

THOMAS That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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



**FINANCE COMMITTEE**

Alderman Thomas declared an interest in item 18 and retired.

**18. St George's Church, Battery Point - Request for Financial Assistance  
File Ref: F16/81425**

Ref: Open FC 6.1, 19/07/2016

That the Council approve the request from the Parish of St George's Anglican Church, Battery Point, for grant funding of \$200,000, as part of the Restoration Appeal to assist in the conservation of St George's Church.

DEPUTY LORD  
MAYOR CHRISTIE  
SEXTON

That the recommendation be adopted.

**AMENDMENT**

HARVEY  
BURNET

That a report be prepared in respect to the opportunity to pursue a National Heritage Lottery with the Federal Government, as suggested in December 2015.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

**19. Resident Parking Permits - Petition**  
**File Ref: F16/77972; 35-5-12**

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Ref: Open FC 6.2, 19/07/2016

- That:
1. The Council endorse the annual resident parking permit fee for 2016/2017 being retained at \$50.
  2. The Council approve a pro-rata fee to be charged for residential parking permits, as follows:

6 months – 12 months occupancy	full fee
4 months – 6 months occupancy	80% of full fee
2 months – 4 months occupancy	60% of full fee
0 months – 2 months occupancy	40% of full fee
  3. The Council policy titled *Residential Parking Permits in Non-Metered Areas* be retained as endorsed on 7 March 2016.
  4. The petitioners be advised of the Council's decision.

THOMAS  
DEPUTY LORD  
MAYOR CHRISTIE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Alderman Cocker declared an interest in item 20 and retired.

**20. Electric Vehicles and Charging Stations**

**File Ref: F16/80437; 17-50-23**

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Ref: Open FC 6.3, 19/07/2016

- That:
1. The Council identify suitable locations for the future installation of direct current fast charge stations, and actions be taken to preserve the locations until such time as it becomes viable to install the stations.
  2. Council officers continue to monitor the types of electric and hybrid vehicles available on the market to determine whether any would be suitable for inclusion in the City's fleet.
  3. City employees be canvassed to determine demand for electric bicycle charging stations at the City's corporate buildings. If there is sufficient demand, then power outlets be installed in suitable locations.
  4. Appropriate street signage be installed to direct users of electric vehicles (EV) and bicycles to the charging stations located at the Hobart Central Car park.

THOMAS  
RUZICKA

That the recommendation be adopted.

**AMENDMENT**

REYNOLDS  
BURNET

That the Hobart Bicycle Advisory Committee be requested to consider initiatives to encourage the wider use of electric bicycles.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

AYES

NOES

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

**SPECIAL REPORT – GENERAL MANAGER**

**21. Hobart - Yaizu Sister City 40 Year Anniversary - Pre-Visit  
File Ref: F16/82128**

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That:

1. The Council approve Alderman Harvey's participation in the delegation to Yaizu, Japan.
2. The Council note that Alderman Denison has withdrawn her nomination to participate in the delegation.

DEPUTY LORD  
MAYOR CHRISTIE  
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

## **22. CLOSED PORTION OF THE MEETING**

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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 Consideration of supplementary Items to the agenda
- Item No. 4 Indications of pecuniary and conflicts of interest
- Item No. 5 20 Creek Road, Lenah Valley - EACH - Lease Arrangements LG(MP)R 15(2)(f)
- Item No. 6 The Springs, Mount Wellington – Bentwood Coffee – Semi-permanent Cafe Proposal - Request for Land Owner Consent to Lodge a Development Application LG(MP)R 15(2)(c)(i)
- Item No. 7 334 Davey Street and 12B Lynton Avenue - Retaining Wall LG(MP)R 15(2)(i) and (j)
- Item No. 8 451 - 457 Sandy Bay Road, Sandy Bay - Retaining Wall LG(MP)R 15(2)(i)

DEPUTY LORD  
MAYOR  
RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The Chairman adjourned the meeting at 7.48 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 8.41 pm.

Item 22 was then taken.

There being no further business the meeting closed at 8.42 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
8<sup>TH</sup> DAY OF AUGUST 2016.

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**CHAIRMAN**