

CITY OF HOBART

MINUTES

OPEN PORTION OF THE COUNCIL MEETING MONDAY, 8 AUGUST 2016 AT 5:14 PM COUNCIL CHAMBER, TOWN HALL



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PRESENT:

The Lord Mayor Alderman S L Hickey, The Deputy Lord Mayor Alderman R G Christie, Aldermen M Zucco, J R Briscoe, E R Ruzicka, H C Burnet, P S Cocker, D C Thomas, A M Reynolds and W F Harvey

APOLOGIES: Nil.

LEAVE OF ABSENCE:

Alderman P T Sexton Alderman T M Denison

1. CONFIRMATION OF MINUTES

The Chairman reported that she had perused the minutes of the meeting of the Open Portion of the Council meeting held on <u>Monday, 25 July 2016</u>, found them to be a true record and recommended that they be taken as read and signed as a correct record.

DEPUTY LORD MAYOR RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

NOES

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

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 CERTIFICATE OF APPRECIATION FROM THE RESERVE FORCES DAY COUNCIL

A certificate of appreciation was presented to the Deputy Lord Mayor from the Reserve Forces Day Council in recognition of the Council's support and contribution to the Reserve Forces Parade and Long Tan Memorial.

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:27 July 2016Purpose:Transport Strategy Workshop

Date: 1 August 2016 Purpose: Hobart Interim Planning Scheme Central Area Standards Workshop

5. PUBLIC QUESTION TIME

No questions were received.

6. **PETITIONS**

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

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

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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.

No interest was indicated.

Minutes (Open Portion) Council Meeting 8/8/2016

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

9.1 227 Lenah Valley Road, Lenah Valley - Subdivision - 5 Lots PLN-12-00520-01 - File Ref: F16/86433; P5506828

Ref: Open CPC 7.1.1, 1/08/2016 Application Expiry Date: 8 September 2016 Extension of Time: Not applicable

That pursuant to Part 2 of the *City of Hobart Planning Scheme 1982*, the Council approve the application for a subdivision - 5 lots at 227 Lenah Valley Road, Lenah Valley for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and development must be substantially in accordance with the documents and drawings that comprise the planning application No. PLN-12-00520-01 as outlined in Attachment A to the permit except where modified below.

Reason for condition

To clarify the scope of the permit.

ΤW

The use and development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice Reference No. TWSA 2012/00221-HCC dated 23/5/2016 attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG1

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

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 streetlights, 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. 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 during and 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.

ENG2

Vehicle crash barriers compliant with the Australian/New Zealand Standard AS / NZS 1170.1 must be installed prior to the first occupation.

A certified design/ report prepared by a suitably qualified Engineer, to satisfy the above requirements, must be provided to the Council prior to the issuing of any permit under the Building Act 2000.

Reason for condition

To ensure that the safety of users of the driveway/parking and compliance with the standard.

ENG3

The driveway, car parking and manoeuvring area, must be constructed in accordance with certified driveway design drawings, prior to the first occupation.

The driveway design must be submitted to the Council, prior to the issuing of any permit under the *Building Act 2000*. The driveway design must:

• Be prepared and certified by a suitably qualified engineer that the design is in accordance with the Australian standards AS/NZS 2890.1 or that the design provides for a safe and efficient access.

Upon completion of the driveway documents signed by a suitably qualified engineer, certifying the driveway has been constructed in accordance with the certified design drawings must be lodged with the Council.

Reason for condition

To ensure that the safety of users of the driveway/parking.

ENG11

Prior to the sealing of the final plan, the proposed driveway crossover on the Lenah Valley Road highway reservation must be designed and constructed in accordance with:

- i. Urban TSD-R09-v1 Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing drawings and
- ii. Footpath Urban Roads Footpaths TSD-R11-v1 drawing

Reason for condition

In the interests of vehicle user safety and the amenity of the development.

ENG13

Parking, access and turning areas must be designed and constructed in accordance with the Australian Standard, Parking facilities, Part 1: Off-Street Carparking, AS 2890.1 – 2004, prior to the sealing of the final plan.

Design drawings must be submitted and approved, prior to commencement of work. The design drawings must:

- i. Show dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.
- ii. Show adequate passing bays so vehicles can safely pass each other

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

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 access and parking layout for the development is to accepted standards.

ENGsw9

The proposed lots must be provided with adequate service connections to the body of each lot at the developer's cost and all stormwater from the site must

be directed to Council infrastructure at the developer's cost; prior to the sealing of the final plan.

A detailed Services Plan showing both existing and proposed services and accesses to all lots on the site must be prepared by a qualified and experienced engineer and submitted to and approved by the Council prior to the commencement of work on site.

The plan must:

- i. Clearly distinguish between public and private infrastructure
- ii. Specify lot connection sizes appropriate for the developable area of each lot
- iii. Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained
- iv. Identify any existing connections to be abandoned
- v. Be checked and certified by a qualified and experienced engineer

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

Advice:

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

Any proposed public stormwater infrastructure will require detailed engineering drawings, which must be checked and certified by a qualified and experienced Civil Engineer. The construction of public infrastructure will require a Permit to Construct Public Infrastructure. A maintenance period of 12 months for the new public works will apply, and a 5% maintenance bond be required.

Note that the lots will also require adequate water and sewer service connections to TasWater mains/systems. The Services Plan must clearly show the existing/ proposed water, sewer and stormwater service connections for each lot. Check the TasWater conditions located in the Appendix.

Reason for condition

To ensure that all works are carried out to the Council's standards.

ENGsw8

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

prior to commencement of work. The engineering drawings must:

- (a) be certified by a qualified and experienced engineer;
- (b) show in both plan and long-section 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;
- (c) Show adequate scour and erosion control at their outlets;
- (d) 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 fullydeveloped catchment; and
- (e) Clearly distinguish between public and private infrastructure.

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

Advice:

Once the engineered drawings has 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 Unit to obtain a permit to construct public infrastructure.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENGsws1

A stormwater drainage system, to the satisfaction of the Council, must be installed prior to sealing of the final plan.

A stormwater management report and plan and a design of the proposed stormwater system must be submitted and approved, prior to commencement of work on the site.

The stormwater report and design for the stormwater treatment component of the system must:

i. be prepared by a suitably qualified engineer, to the satisfaction of the Council; and

- ii. provide detailed design of the final proposed treatment train, including estimations of contaminant removal in comparison with the State Stormwater Strategy targets; and
- iii. outline the operational and maintenance measures to check and ensure the ongoing effective operation of all systems to satisfy the above requirement, ie. including but not limited to: inspection frequency; cleanout procedures; as installed design detail/diagrams; a description and sketch of how the installed system operates; details of life of asset and replacement requirement; estimation of the life cycle cost including maintenance costs.

The stormwater report and design for any stormwater detention component of the system that may be installed must:

- i. provide details and supporting calculations of the public detention tank including (but not limited to) the following:
- ii. The detention tank size and emptying times, which must be such that there is no worsening of existing flooding in New Town Rivulet. All assumptions must be clearly stated; and
- iii. The design and layout, including long-sections of the inlet and outlet and details of how the installed system operates; and
- iv. How overflow from the tank is safely managed; and
- v. The outlet size and emptying times; and
- vi. Access details for maintenance; and
- vii. Estimation of the asset life and life cycle cost including maintenance costs; and
- viii. Operational and maintenance measures to check and ensure the ongoing effective operation of the system, including inspection frequency, cleanout procedures; details of life of asset and replacement requirement; estimation of the life cycle cost including maintenance costs; and
- ix. Structural and geotechnical certification from an appropriately qualified engineer(s) for the design and installation.

All work required by this condition must be undertaken in accordance with the approved stormwater management report and design and stormwater management plan.

Advice: Once the stormwater management report and 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 the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENGs1

Private stormwater services/connections are to be entirely separate to each lot and contained wholly within the lots served or covered by appropriate easements.

Prior to the sealing of the final plan, the Developer must verify compliance of the Separation of Services by supplying the Council with an as-installed Services Plan.

The plan must:

- i. clearly indicate the location and details of all relevant services (entirely contained within their respective lots or appropriate easement).
- ii. be accompanied by certification from a suitably qualified person that all engineering works required by this permit have been completed.

Advice

Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" must be a professional engineer or professional surveyor or other persons acceptable to Council.

Reason for condition

To ensure that each lot is serviced separately.

ENGs2

No new infrastructure or services (excepting those proposed to be attached to the existing bridge) may cross New Town Rivulet.

Any existing infrastructure or services (including the TasWater sewer main) crossing New Town Rivulet which are redundant must be removed prior to the sealing of the final plan.

The proposed services must be attached to the bridge in such a fashion as to not impede the free flow of water, not form a snag risk for debris, and minimise the impact of any required future maintenance works on the Rivulet.

Engineering design drawings demonstrating the above and certified by a suitably qualified engineer must be submitted and approved prior to

commencement of work.

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

Advice

Council notes private plumbing work associated with the subdivision will require a plumbing permit.

Reason for condition

To ensure that each lot is serviced separately.

ENGS3

All works within the flood prone land must be designed and maintained to withstand likely forces and inundation, maximise the free flow of water, not form snag risk for debris and not form a sediment source.

Design documents prepared by and certified by suitably qualified engineers must be submitted to and be approved by Council prior to commencement of works. These must include:

- i. Detailed design drawings, including sections, of all works within 10 metres of the top of bank
- ii. Structural Certification
- iii. Details of any maintenance measures required.

Once approved these documents will form part of this permit and must be complied with.

Reason for condition

To ensure that the development will not increase risk to itself or other properties.

ENGS4

Prior to sealing of the final plan; the Owners of Lots 4 and 5 on the plan must covenant with the Hobart City Council to the intent that the burden of this covenant may run with and bind the covenantor's lots and any part thereof, to observe the following stipulations-:

i. Not without the written consent of the Hobart City Council to erect or permit to be erected any building or structure, or carry out any landscaping that may change the contours of the land or restrict the free flow of water over the land or cause erosion within 10 (ten) metres from the top of the watercourse embankment of New Town Rivulet.

Reason for condition

To ensure the protection of the riparian zone of the rivulet/watercourse and prevent potential flood water impediment.

ENV2

Sediment and erosion control measures in accordance with an approved Soil and Water Management Plan (SWMP) must be installed, prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted and approved, prior to the commencement of work. The SWMP must:

i. be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008).

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

Advice

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

Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

ENV8

All recommendations in the geotechnical assessment report by GES P/L received by the planning authority on 16 May 2016 relevant to the subdivision works must be implemented.

Reason for condition

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

ENV4

An amended bushfire hazard management plan (BHMP) must be submitted and approved, prior to sealing of the final plan. The amended bushfire hazard management plan must:

i. detail the specific construction requirements for vehicular accesses; and

ii. exclude lots 100 and 101 from the hazard management area requirements.

All subdivision works relevant to the BHMP (e.g. access construction) must be undertaken in accordance with the final, approved bushfire hazard management plan.

Advice

Once the amended bushfire hazard management 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 bushfire risk is reduced to an acceptable level.

ENVs1

Following completion of the vehicular access works and prior to sealing of the final plan, certification by an accredited bushfire hazard practitioner that all vehicular access construction requirements of the final, approved BHMP relevant to the subdivision works have been fully complied with must be submitted to the Council.

Reason for condition

To ensure that bushfire risk is reduced to an acceptable level.

ENVs2

Prior to sealing of the final plan or the commencement of works (whichever occurs first) a vegetation retention plan must be submitted to, and approved by, the Council. The plan must:

- i. require retention of the existing Blue Gums on the lot;
- ii. aim to maximise retention of significant native vegetation within 10m of the top of the bank of New Town Rivulet; and
- iii. include tree identification and protection measures to be followed during site works to ensure the trees to be retained are not damaged or destroyed (during the subdivision works or future development).

The final approved tree retention plan must be observed and implemented at all times during the subdivision works unless the written approval of Council is obtained.

Reason for condition

To ensure that the environmental impacts associated with the development

are minimised.

ENV12

An approved weed management plan must be implemented.

A weed management plan prepared by a suitably qualified and experienced person must be submitted and approved, prior to the commencement of work and prior to the sealing of the final plan.

The weed management plan must:

- i. the eradication of declared and environmental woody weeds on the land (excluding Lots 100 and 101);
- ii. set out an environmentally-appropriate methodology and program for eradicating these weeds (including appropriate disposal) based on defined management zones (noting that eradication of many species will require follow-up treatments for several years);
- include a concise action table that provides clear and detailed actions, the area to be targeted, the timing of each action and the persons/parties responsible for undertaking all actions (template attached);
- iv. include a simple map of the property that defines the management zones for specific actions;
- v. include prescriptions to minimise impacts on native vegetation and minimise soil disturbance; and
- vi. be clear and concise so that follow-up treatments can be easily implemented by future landowners (however the bulk of primary weed control works must be scheduled to occur as part of the subdivision works).

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

Advice

Once the weed management 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 the development does not contribute to the spread of weeds and to offset the biodiversity impacts associated with the development.

ENVs3

An approved revegetation plan must be implemented.

A revegetation plan prepared by a suitably qualified and experienced person must be submitted and approved, prior to the commencement of work and prior to sealing of the final plan. The revegetation plan must:

i. propose revegetation of all disturbed areas within 10m of the top of the bank of New Town Rivulet using appropriate native species (excluding Lots 100 and 101).

All work required by this condition must be undertaken in accordance with the approved revegetation plan. The revegetation plan must be implemented prior to sealing of the final plan.

Advice

Once the revegetation 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 environmental impacts associated with the development are minimised.

ENV15

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 washdown can be

found in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004).

Reason for condition

To ensure the development does not contribute to the spread of weeds and pathogens.

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 prior to sealing of the final plan. The Part 5 Agreement must:

i. require compliance with the final, approved bushfire hazard

management plan;

- ii. require compliance with the recommendations of the geotechnical assessment report;
- iii. require compliance with the weed management plan;
- iv. require compliance with the vegetation retention plan;
- v. apply to the owners of all lots other than Lots 100 and 101; and
- vi. be registered on the titles of all new lots at the time of issue other than Lots 100 and 101.

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.

Reason for condition

To ensure that environmental risks and impacts are minimised

SURV1

The applicant must 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.

SURV2

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.

SURV3

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 any proposed or existing storm water, water or sewer mains passing through the lots on the final plan, in favour of the Hobart City Council and/or TasWater) (minimum width of 2m, or 3m if they cover 2 pipes).
- ii. Over any existing or proposed private (right of ways, drainage and/or service easements) in favour of the lots they are required to serve.
- iii. Over any proposed stormwater detention and treatment systems, in favour of the Hobart City Council.

Advice

Any public infrastructure on private land must be covered by an easement that must be appropriately and legally defined prior to finalising the Schedule of Easements. Council notes a standard Drainage Easement may be insufficient to provide the necessary rights for any detention and treatment facilities. The process to define a new easement type can be lengthy and early consultation is recommended with Council's Manager Surveying Surfaces to ensure they are no delays to the sealing of the final plan.

Reason for condition

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

SURV5

The proposed Road Lot (Lot 101) and Public Open Space Lot (Lot 100) must be transferred in fee simple to the Council at nominal consideration.

Prior to the sealing of the final plan an executed and stamp duty assessed Land Titles Office transfer instrument is to be forwarded to the Council together with a cheque made payable to the Land Titles Office for the associated Land Titles Office registration fees.

Reason for condition

To ensure that titles to the proposed road, footway and public open space lots issue in the Council.

SURVs1

The "Proposed Right of Carriageway in Favour of the Hobart City Council", as shown on the surveyor's Proposed Subdivision Plan, must be reduced so that it only covers the area within lots 1-5 between the Lot 101 (Road Widening) and the near bank (southern side) of the New Town Rivulet.

Reason for condition

To ensure that the proposed ROW does not extend to cover the bridge or any land on the far bank of the rivulet.

ADVICE

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 <u>rfi-information@hobartcity.com.au</u>, 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.

- Plumbing permit under the Tasmanian Plumbing Regulations 2014; <u>www.hobartcity.com.au/Development/Plumbing</u>.
- Permit to Open Up and Temporarily Occupy a Highway (for work in the Lenah Valley road highway reservation) <u>http://www.hobartcity.com.au/Transport/Lighting Roads Footpaths</u> <u>and Street_Cleaning/Roads_and_Footpaths</u>.
- Permit to construct public infrastructure must be obtained for any public infrastructure works and includes a12 month maintenance period (please contact the Council City Infrastructure Division to initiate the permit process).
- Work within the Highway Reservation -please note development must be in accordance with the Hobart City Council's Highways By –law and Acts. http://www.hobartcity.com.au/Council/Legislation.
- Redundant crossovers are required to be reinstated under the Hobart City Council's Highways By –Law and in accordance with (IPWEA) LGAT - Tasmanian Standard Drawing, namely TSD-R14-v1 and TSD-R15-v1 Type KC and Urban Roads Footpaths TSD-R11-v1 to match existing footpath (concrete or asphalt) .prior to the commencement of the use http://www.hobartcity.com.au/Council/Legislation.

BRISCOE THOMAS

That the recommendation be adopted.

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MOTION CARRIED

VOTING RECORD

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

9.2 1 Murray Street and Adjacent Road Reservation, Hobart - Outdoor Dining Furniture

PLN-16-00595-01 - File Ref: F16/86090; P5670855

Ref: Open CPC 7.2.1, 1/08/2016 Application Expiry Date: 8 August 2016 Extension of Time: Not applicable

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for a outdoor dining at 1 Murray Street and Adjacent Road Reservation, Hobart for the reasons outlined in the officer's report 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 PLN-16-00595-01 - 1 Murray Street and Adjacent Morrison Street Road Reservation – Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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 re vegetated.

Advice:

For further guidance in preparing Soil and Water Management Plans – in accordance with Fact sheet 3 Derwent Estuary Program go to <u>www.hobartcity.com.au</u> 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.

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 three months 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.

Note:

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. 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.

ENGr1

The proposed screens and sunshades within the Morrison Street highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure, including street trees.

Detailed design drawings and structural certificates of the screens and sunshades within the Morrison Street highway reservation must be submitted and approved, prior to the commencement of work and must:

(i) Be prepared and certified by a suitable qualified person and

experienced engineer;

- (ii) Not undermine the stability of the highway reservation;
- (iii) Be designed in accordance with AS4678;
- (iv) Take into account any additional surcharge loadings as required by relevant Australian Standards;
- Take into account and reference accordingly any Geotechnical findings;
- (vi) Take into account and reference accordingly any Arborist findings in regards to the proximity of the tree;
- (vii) Detail the design and location of the footing;
- (viii) The structural certificate 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.

TREE PROTECTION

OSPs1

The existing Tilia tree must be protected prior to and during construction.

The following protection measures are required:

- Prior to construction works associated with the umbrellas commencing, padding must be applied to the trunk of the Tilia tree to prevent damage to the trunk bark.
- Excavation of the footing of the western-most umbrella must be undertaken by hand to prevent damage to the roots of the Tilia tree.
- (iii) The existing umbrella footings must remain in the ground if

possible to avoid root damage associated with their removal.

 (iv) All works in the Tree Protection Zone (5.3 metres measured out from the trunk of the Tilia tree), and especially within the Structural Root Zone (2.6 metres measured from the trunk of the Tilia tree), must be regularly monitored by a certified arborist.

Advice must be obtained from the Council's arborist (see advice below) if roots greater than 50mm in diameter are found during excavation or pavement removal.

Exposed roots must be covered with hessian cloth and foot traffic over the area kept to a minimum to prevent damage to the bark on the roots.

- (v) The following construction standards apply within the Tree Protection Zone (extending 5.3 metres from the trunk of the Tilia tree):
 - (a) No storage or disposal of building materials;
 - (b) No vehicular traffic.

Advice

The Council's arborist can be contacted on (03) 6238 2886.

Reason for the condition

Pre- and post construction protection of the Tilia tree.

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 <u>www.hobartcity.com.au</u> 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 <u>rfi-information@hobartcity.com.au</u>, 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

- 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
- Occupational license for use of Hobart City Council highway • reservation for outside dining within the Morrison Street highway reservation, in accordance with conditions to be established by the Council. The occupational license must be obtained and maintained for occupancy of the area of highway reservation as detailed in the development plans. http://www.hobartcity.com.au/Environment/Occupational Licence

Permit to Open Up and Temporarily Occupy a Highway (for work in the highway reservation). http://www.hobartcity.com.au/Transport/Lighting Roads Footpaths and_Street_Cleaning/Roads_and_Footpaths

BRISCOE BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.3 Salamanca Place, Battery Point - Tree Removal and Replacement Planting

PLN-16-685 - File Ref: F16/86334; 16/117

Ref: Open CPC 7.2.2, 1/08/2016 Application Expiry Date: 12 September 2016 Extension of Time: Not applicable

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for a tree removal and replacement planting within the Salamanca Place Road Reservation, Battery Point for the reasons outlined in the officer's report 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 the PLN-16-685 - Salamanca Place Hobart TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

HER 19

Within two years of the removal of the tree the replacement specimen detailed in the application must be planted in the same location. Should the replacement tree perish it is to be replaced as soon as practicable.

Reason for condition

To ensure that there is continuum of tree planting in the location.

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.

Work within the Highway Reservation

Please note development must be in accordance with the Hobart City Council's Highways By -law and section 30 of the Local Government (Highways) Act 1982 http://www.hobartcity.com.au/Council/Legislation.

Permit for the occupation of the public highway for construction or special

Minutes (Open Portion) Council Meeting 8/8/2016

BRISCOE THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.4 32 Duke Street, Sandy Bay - Fencing PLN-16-00265-01 - File Ref: F16/85764; P5610406

Ref: Open CPC 7.3.1, 1/08/2016 Application Expiry Date: 9 September 2016 Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for fencing at 32 Duke Street, Sandy Bay for the following reasons:

- 1. The proposed development does not meet performance criterion D11.4.7 P1 of the *Hobart Interim Planning Scheme 2015* as the fence does not provide an adequate level of mutual passive surveillance between the road and the dwelling and does not maintain or enhance the streetscape.
- 2. The proposed development does not meet performance criterion E13.8.1 P1 of the *Hobart Interim Planning Scheme 2015* as the applicant has not demonstrated any environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; there are prudent or feasible alternatives to the fence; and the demolition of the existing fence does not result in a replacement fence that will be more complementary to

the heritage values of the precinct.

- 3. The proposed development does not meet performance criterion E13.8.2 P1 of the *Hobart Interim Planning Scheme 2015* as a fence of this height will result in detriment to the heritage values of precinct by obscuring and concealing the house, interrupting the consistent forms and rhythm of the streetscape.
- 4. The proposed development does not meet performance criterion E13.8.2 P4 of the *Hobart Interim Planning Scheme 2015* as the fence that ranges from 1.5 metres to 1.85 metres in height is over and above what is acceptable for this area and this particular house. It is not sympathetic in design, in height and materials. It obscures the house making it difficult to appreciate the architectural details of the house and appreciated it as a house its setting.

Advice:

A replacement fence with a maximum height of 1.1m or less is recommended. As long as the fencing within the 3m of the street frontage is no greater than 1.2m in height, it will be exempt from requiring planning approval. Any new proposal for fencing within 3m of the street frontage with a maximum height greater than 1.2m, will require a new planning application.

BRISCOE HARVEY

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

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

DEPUTY LORD MAYOR ZUCCO

That the Council approve the application for fencing at 32 Duke Street, Sandy Bay subject to the fencing having 30 per cent transparency and being in accordance with the usual conditions of approval.

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MOTION CARRIED

VOTING RECORD

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

9.5 141 Hampden Road, Hobart - Partial Demolition, Alterations, Extensions, Front Fencing and Change of Use to Four Multiple Dwellings PLN-16-00587-01 - File Ref: F16/84885

Ref: Open CPC 7.3.2, 1/08/2016 Application Expiry Date: 22 August 2016 Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a Partial Demolition, Alterations, Extensions, Front Fencing and Change of Use to Four Multiple Dwellings at 141 Hampden Road, Hobart for the following reasons:

- 1. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.7.1 A1 and P1 of the Historic Cultural Heritage Code of the *Hobart Interim Planning Scheme 2015* because the proposed demolition will result in the loss of significant fabric, items and form that contribute to the historic cultural heritage significance of the place and it has not been demonstrated that: there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; or that there are no prudent and feasible alternatives; or that important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained; or that significant fabric will be documented before demolition.
- 2. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.7.2 A1 and P1 of the Historic Cultural Heritage Code of the Hobart Interim Planning Scheme 2015 because the proposal is an incompatible design through its siting bulk and form resulting in a diminution of the significance of the place.

- 3. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.7.2 A2 and P2 of the Historic Cultural Heritage Code of the *Hobart Interim Planning Scheme 2015* because it will not be subservient and complementary to the listed place due to its bulk, scale, and siting.
- 4. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.7.2 A3 and P3 of the Historic Cultural Heritage Code of the Hobart Interim Planning Scheme 2015 because it does not respond to the dominant heritage characteristics of the listed place in its siting, materials and built form.
- 5. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.7.2 A4 and P4 of the Historic Cultural Heritage Code of the *Hobart Interim Planning Scheme 2015* because it detracts from the historic cultural heritage significance of the place as a consequence of it obscuring the servant's wing.
- 6. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.8.1 A1 and P1 of the Historic Cultural Heritage Code of the Hobart Interim Planning Scheme 2015 because it includes demolition which will result in the loss of part of a building that contributes to the historic cultural heritage significance of the precinct, and it has not been demonstrated that: there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; or that there are no prudent or feasible alternatives; or that opportunity is created for a replacement building which will be more complementary to the heritage values of the precinct.
- 7. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.8.2 A1 and P1 of the Historic Cultural Heritage Code of the *Hobart Interim Planning Scheme 2015* because the design and siting of the proposal will result in detriment to historic cultural heritage significance of the precinct.
- 8. The proposal does not meet the acceptable solution or the performance criteria in respect to clause E13.8.2 A3 and P3 because the proposed extension to the existing building will detract from the historic cultural heritage significance of the precinct.

BRISCOE BURNET

Zucco

Briscoe Ruzicka Burnet That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES Lord Mayor Hickey Deputy Lord Mayor Christie

Cocker Thomas Reynolds Harvey

CITY INFRASTRUCTURE COMMITTEE

10. Deputy Municipal Emergency Management Coordinator Position File Ref: F16/83981; 15-30-1

Ref: Open CIC 6.2, 27/07/2016

- That: 1. The Council nominate Mr Matthew Tyrrell as Deputy Municipal Emergency Management Coordinator for the City of Hobart pursuant to Section 23 of the Emergency Management Act 2006.
 - 2. The Director State Emergency Service and the State Emergency Management Controller be advised of the Council's decision.

BURNET DEPUTY LORD MAYOR

That the recommendation be adopted.

VOTING RECORD

NOES

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

11. Local Government (Highways) Act 1982 - Officer Delegations File Ref: F16/82007; 10-4-1

Ref: Open CI 6.3, 27/07/2016

That pursuant to Section 124 of the Local Government (Highways) Act 1982, the delegation of powers to Council officers as described in Attachment A to item 6.3 of the Open City Infrastructure Committee agenda of 27 July 2016, be approved.

BURNET HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

12. Sandy Bay Retail Precinct Streetscape Revitalisation - Palm Trees and Banner Poles - Response to Petition File Ref: F16/83106

Ref: Open CIC 6.4, 27/07/2016

That the palm trees located in the centre road strip of Sandy Bay Road (between King Street and Princes Street) be removed and six banner poles in total be installed in the centre road strip, increasing the budget for the Sandy Bay retail precinct streetscape revitalisation project by \$65,000, to be funded from reserves.

BURNET THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES Lord Mayor Hickey Deputy Lord Mayor Christie Zucco Briscoe Ruzicka Thomas Harvey

NOES Burnet Cocker Reynolds

13. Macquarie Street and Davey Street, Hobart - Handover to State Government File Ref: F16/84505

Ref: Open CIC 6.5, 27/07/2016

That the memorandum from the Director City Infrastructure of 22 July 2016, attached to item 6.5 of the Open City Infrastructure Committee agenda of 27 July 2016, be received and the Council note that the Minister for Infrastructure has advised that the transfer of the Macquarie Street and Davey Street couplet from the City of Hobart is no longer being pursued by the State Government.

BURNET DEPUTY LORD MAYOR

That the recommendation be adopted.

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VOTING RECORD

AYES

NOES

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

14. **Transport Strategy** File Ref: F16/80155

Open CIC 6.7, 27/07/2016 Ref:

- That: 1. Further Aldermanic Workshops be held prior to the commencement of community engagement for each of the Transport Strategy consultation modules.
 - 2. The Transport Strategy community consultation and stakeholder engagement, including neighbouring councils, commence in August/September 2016, with the first consultation module to address Freight, Port and Air.
 - The General Manager write to major stakeholders and neighbouring 3. councils, advising of the Council's intention to commence the development of a Transport Strategy for the City of Hobart.

BURNET HARVEY

That the recommendation be adopted.

NOES

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

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

15. 3rd National Indigenous Economic Development Forum - 19th to 21st October 2016 - Darwin File Ref: F16/84526

Ref: Open EDCC 6.2, 28/07/2016

- That: 1. The information be received and noted.
 - Aldermanic nominations be invited to represent the Council at the 3rd National Indigenous Economic Development Forum to be held in Darwin from 19-21 October 2016.
 - 3. The cost of attendance estimated at approximately \$3,900 per person, be attributed to the general Aldermanic conference allocation within the City Government Function of the 2016/2017 Annual Plan.

DEPUTY LORD MAYOR ZUCCO

That the recommendation be adopted, noting that no Aldermanic nominations were received.

VOTING RECORD

NOES

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

JOINT ECONOMIC DEVELOPMENT AND COMMUNICATIONS COMMITTEE, CITY INFRASTRUCTURE AND FINANCE COMMITTEE

16. City Centre Support and Activation Arrangements File Ref: F16/88665

Ref: Special Open Joint EDCC, CIC & FC, 6.2, 28/07/2016

- That:
 1. Ratify the decision of the General Manager to extend the 90 minute free car parking in Council multi storey car parks to 3 hours from Tuesday 2 August up to and including Monday 8 August noting the income forgone is estimated to be \$37,000 and extend until such time as the General Manager provides an update to Council on the CBD.
 - 2. Further ratify the decision of the General Manager to temporarily offer car spaces in the Centrepoint car park to affected Centrepoint tenants for the purposes of allowing deliveries while Murray Street is closed.
 - 3. Delegate to the General Manager the ability to extend the offer of 3 hour free parking until such time as traffic flow in Murray Street is restored.
 - 4. Approve Council's facilitation and coordination of a one off sidewalk sale / super Saturday for city centre retailers on Saturday 27 August 2016, noting the cost of this event will be in the order of \$45,000.
 - 5. Approve associated media and promotions for the sidewalk sale / super Saturday event up to an estimated cost of \$31,000.
 - 6. Approve the waiving of parking fees in Council's multi storey car parks on Saturday 27 August noting the income forgone will be in the order of \$7,000 \$10,000.

- 7. Authorise the General Manager to undertake any ancillary matters in preparation and execution of the event on Saturday 27 August 2016.
- 8. Approve the partial removal of the pedestrian barriers and associated works at the mid block pedestrian crossing in Murray Street between Liverpool and Collins Streets.
- 9. Pursuant to section 22 of the Local Government Act 1993, a delegation be granted from the Council to the General Manager for the following powers:

In situations where an emergency event occurs or where a one off event occurs that detrimentally effects a significant proportion of ratepayers, residents or businesses in a given geographic area in the Municipal area, the General Manager be temporarily authorised to exercise such powers and commit Council resources as he or she sees fit in the circumstances with the aim of rectifying or improving the immediate situation. So long as such powers do not contravene section 22 or any other section of the Local Government Act or any other law and that the General Manager advises the Council of those actions as soon as practicable after the exercise of those powers.

- 10. An appropriate media release be issued.
- 11. An urgent report be provided detailing a range of options to promote shopping in the city in the current circumstances and including strategies for liaising with business owners and other key stakeholders and also including actions undertaken since the flooding incident at the ICON complex.

DEPUTY LORD MAYOR ZUCCO

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

17. CLOSED PORTION OF THE 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
Item No. 4	Consideration of supplementary items to the agenda
Item No. 5	Indications of pecuniary and conflicts of interest
ZUCCO	
BRISCOE	That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Hickey Deputy Lord Mayor Christie Zucco Briscoe Ruzicka Burnet Cocker Thomas Reynolds Harvey The Chairman adjourned the meeting at 6.43 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 6.45 pm.

Item 17 was then taken.

There being no further business the meeting closed at 6.50 pm.

TAKEN AS READ AND SIGNED AS A CORRECT RECORD THIS 22ND DAY OF AUGUST 2016.

CHAIRMAN