



CITY OF HOBART

MINUTES

OPEN PORTION
MONDAY, 5 DECEMBER 2016
AT 5:25 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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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, P T Sexton, H C Burnet,
D C Thomas, A M Reynolds, T M Denison and W F Harvey.

The Deputy Lord Mayor left the meeting at 5.29 pm after declaring an interest in item 9.1 and returned at 5.38 pm, left the meeting at 7.03 and returned at 7.11 pm.

Alderman Sexton left the meeting at 7.18 pm and returned at 7.20 pm.

Alderman Burnet left the meeting at 5.59 pm after declaring an interest in item 10 and returned at 6.18 pm.

Alderman Thomas arrived at the meeting at 6.52 pm and was present for items 16 to 18.

Alderman Harvey left the meeting at 5.44 pm after declaring an interest in item 9.6 and returned at 5.59 pm.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Alderman P S Cocker.

1. CONFIRMATION OF MINUTES

That the Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 21 November 2016](#) and the Annual General Meeting held on 21 November 2016, finds them to be true records and recommends that they be taken as read and signed as correct records.

DEPUTY LORD MAYOR
RUZICKA

That the minutes be signed.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

REYNOLDS
BRISCOE

That item 8 from the closed portion of the meeting, be transferred to the open portion and taken as item 18.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

3. COMMUNICATION FROM THE CHAIRMAN

3.1 PRESENTATION FROM THE CHINESE BUDDHIST ACADEMY OF AUSTRALIA

The Deputy Lord Mayor represented the Council at the launch of the Yearbook of Chinese in Australia in 2015 at which Master Wang presented the Lord Mayor with a copy of the yearbook.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

5. PUBLIC QUESTION TIME

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.

The following interest was indicated:

1. The Deputy Lord Mayor - item 9.1.
2. Alderman Burnet - item 10.
3. Alderman Harvey - item 9.6.

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.

The Deputy Lord Mayor declared an interest in item 9.1 and retired.

9.1 1-3 Elizabeth Street, Hobart - Partial Change of Use (Mawson's Hut Replica Museum)

PLN-16-1065 - File Ref: F16/132017

Ref: Open [CPC 7.1.1](#), 28/11/2016

Application Expiry Date: 3 January 2017

Extension of Time: Not applicable

BRISCOE

DENISON

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for a partial change of use (Mawson's Hut Replica Museum) at 1-3 Elizabeth Street, Hobart on a further temporary basis 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 PLN-16-1065 - 1-3 Elizabeth Street, Hobart TAS 7000 Approved Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, Works Application No. 5157 dated 9 November 2016, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

All signage must be removed from the site when the removal of the Mawson's Huts replica structures takes place.

Reason for condition

To ensure that the signage is temporary only.

PLN s1

The proposed use and development is approved until 28 February 2019. After this time, the use must cease immediately, and within 3 months of that date, all buildings and associated structures must be removed and the site made good to its former state immediately prior to the commencement of the use and development.

Advice: For the purposes of this condition, 'immediately prior to the commencement of the use and development' is taken to mean 9 September 2013.

Reason for condition

To clarify the scope of the permit.

PLN s2

The owner must pay the cost of any alterations and/or reinstatement to the Council's infrastructure, incurred as a result of the proposed development works. Such payment is to be made within 60 days of the issue of a certificate of completion, or any demand, whichever is the latter.

Reason for condition

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

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.

BUILDING PERMIT

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

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

AMENDMENT

BURNET
REYNOLDS

That an advice clause be included as follows:

“The applicant be advised to provide information regarding public conveniences located nearby to patrons.”

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for a partial change of use (Mawson's Hut Replica Museum) at 1-3 Elizabeth Street, Hobart on a further temporary basis 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 PLN-16-1065 - 1-3 Elizabeth Street, Hobart TAS 7000 Approved Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, Works Application No. 5157 dated 9 November 2016, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

All signage must be removed from the site when the removal of the Mawson's Huts replica structures takes place.

Reason for condition

To ensure that the signage is temporary only.

PLN s1

The proposed use and development is approved until 28 February 2019. After this time, the use must cease immediately, and within 3 months of that date, all buildings and associated structures must be removed and the site made good to its former state immediately prior to the commencement of the use and development.

Advice: For the purposes of this condition, 'immediately prior to the commencement of the use and development' is taken to mean 9 September 2013.

Reason for condition

To clarify the scope of the permit.

PLN s2

The owner must pay the cost of any alterations and/or reinstatement to the Council's infrastructure, incurred as a result of the proposed development works. Such payment is to be made within 60 days of the issue of a certificate of completion, or any demand, whichever is the latter.

Reason for condition

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

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.

BUILDING PERMIT

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

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

PUBLIC CONVENIENCES

The applicant be advised to provide information regarding public conveniences located nearby to patrons.

**9.2 40 Elizabeth Street, Hobart - Alterations and Partial Change of Use to
General Retail and Hire
PLN-16-1039 - File Ref: F16/130561**

Ref: Open [CPC 7.2.2](#), 28/11/2016
Application Expiry Date: 29 November 2016
Extension of Time: 6 December 2016

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and partial change of use to general retail and hire at 40 Elizabeth Street, Hobart for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 28 November 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-16-1039 - 40 Elizabeth Street Hobart Tas 7000 - 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.

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.

BUILDING PERMIT

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

<http://www.hobartcity.com.au/Development/Building>.

PLUMBING PERMIT

Plumbing permit under the Tasmanian *Plumbing Regulations 2014*;

<http://www.hobartcity.com.au/Development/Plumbing>

OCCUPATION OF THE PUBLIC HIGHWAY

Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc).

http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation

Occupational license for use of Hobart City Council highway reservation (select if required as detailed in the development proposal plan), in accordance with conditions to be established by the Council.

http://www.hobartcity.com.au/Environment/Occupational_Licence

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

TEMPORARY PARKING PERMITS

Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones.

http://www.hobartcity.com.au/Transport/Permits/Parking_Permits

PERMIT FOR VEHICLE ACCESS TO ELIZABETH STREET MALL

Permit for vehicle access to the Elizabeth Street mall. Please contact the Council's Customer Services and Parking operations.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

**9.3 38-40 Napoleon Street, Battery Point - Alterations and Partial Change of Use to Workshop, Food Services and Tourist Operation
PLN-16-863 - File Ref: F16/130575**

Ref: Open [CPC 7.2.3](#), 28/11/2016
Application Expiry Date: 25 December 2016
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and partial change of use to workshop, food services and tourist operation at 38-40 Napoleon Street, Battery Point for the

reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 28 November 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-16-863 - 38-40 Napoleon Street Battery Point Tas 7004 - 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 2016/01427-HCC dated 4 September 2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This approval is for use of buildings 1 and 2 in Figure 1 of the E₃ Planning Report as food services, tourist operation and business and professional services. Use of the buildings for manufacturing and processing will require further planning approval.

Reason for condition

To provide clarification of the uses approved under this planning permit.

ENG 8

The disabled dropoff/pickup area must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavements markers in accordance to AS/NZS 2890.1 and AS/NZS 2890.6, prior to the

commencement of the use.

Reason for condition

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

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 1

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 Plan (SWMP) – in accordance with Fact sheet 3 Derwent Estuary Program go to www.hobartcity.com.au/development/engineering/standards-and-guidelines.

Reason for condition

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

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.

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

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

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

PUBLIC HEALTH AND FOOD BUSINESS REGISTRATION

Approved/endorsed plans for a food business fit out, under the Building Code of Australia National Construction Code Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards;

http://www.hobartcity.com.au/Environment/Public_Health_and_Food/Food

Food business registration in accordance with the *Food Act 2003*;

http://www.hobartcity.com.au/Environment/Public_Health_and_Food/Food

Public Health Risk Activities Licence

http://www.hobartcity.com.au/Environment/Public_Health_and_Food/Public_Health_Risk_Activities_-_Tattooing_and_Piercing

INUNDATION PRONE AREAS

Please be aware that while the current proposal is exempt from the Inundation Prone Areas Code of the *Hobart Interim Planning Scheme 2015*, part of the site is located within a Coastal Inundation Hazard Area.

BRISCOE
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

9.4 5 Baker Street, New Town - Multiple Dwellings PLN-16-989 - File Ref: F16/132172

Ref: Open [CPC 7.2.4](#), 28/11/2016
Application Expiry Date: 5 December 2016
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for multiple dwellings at 5 Baker Street, New Town for the reasons outlined in the officer's report attached to item 7.2.4 of the Open City Planning Committee agenda of 28 November 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-16-989 5 Baker Street New Town TAS 7008 - 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 2016/01352-HCC dated 22/09/2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw4

The new stormwater connection(s) must be constructed by Council at the owner's expense and any proposed abandoned stormwater connections sealed by Council at the owner's expense, prior to commencement of use.

Detailed engineering design drawings must be submitted and approved by Council, prior to commencement of work.

The design drawings must:

- Include the location of the proposed stormwater connection;
- Include the size of the proposed stormwater connection appropriate to satisfy the needs of the development;
- Include the material of the proposed stormwater connection;
- Identify the interface between Council and private stormwater infrastructure; and
- Identify if the stormwater connection for 3 Baker Street will be impacted by the construction of the crossover for 5 Baker Street

and if so, the design drawings must include the relocation of 3 Baker Street stormwater connection and abandonment of old connection.

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

Advice:

Once the engineered drawing 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 initiate an application for service connection.

Reason for condition

To ensure the site is drained adequately.

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 1

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 Plan (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.

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.

BUILDING PERMIT

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

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

OCCUPATION OF THE PUBLIC HIGHWAY

Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc);

http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation

Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve);

http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths

DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

The footpath material must match the existing footpath. Any coloured or textured surface construction must not extend beyond the property boundary unless agreement from Council's Manager Roads and Environmental Engineering. 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.

STORMWATER / ROADS / ACCESS

Infrastructure is to be designed and constructed in accordance with the (IPWEA) LGAT- – standard drawings.

http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines

BRISCOE
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

**9.5 40A Nicholas Drive, Sandy Bay, 38A Nicholas Drive, Sandy Bay - Single Dwelling
PLN-16-930 - File Ref: F16/132292**

Ref: Open [CPC 7.2.5](#), 28/11/2016
Application Expiry Date: 5 December 2016
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a single dwelling at 40A Nicholas Drive & 38A Nicholas Drive, Sandy Bay for the reasons outlined in the officer's report attached to item 7.2.5 of the Open City Planning Committee agenda of 28 November 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-16-930 40A Nicholas Drive Sandy Bay TAS 7005 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 2016/01560-HCC dated 25/10/2016 as attached to

the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw2

The Council's stormwater infrastructure within and adjacent to the subject site must be protected from damage during the construction of the development.

Digital copies of a pre and post construction work CCTV video and associated report(s) of any Council stormwater main within two metres of the works must be submitted to Council:

- a. prior to issue of any consent under the Building Act 2000 or the commencement of work (whichever occurs first), and
- b. after completion of all work but prior to the first occupation.

The post construction work CCTVs will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner fails to provide to the Council a pre construction works.

CCTV video of the Council's infrastructure, then any damage to the Council infrastructure identified in the post construction CCTV will be deemed to be the responsibility of the owner.

Advice: Due to the diameter of the main, a tractor camera will be required to obtain adequately clear footage.

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.

ENG sw3

The proposed works (eg driveway, steps and retaining wall, including foundations) must be designed to ensure the long term protection of and

access to the Council's stormwater infrastructure.

Detailed engineering design must be submitted and approved prior to issue of any consent under Building Act 2000 or the commencement of works (whichever occurs first). The detailed design must:

- a. Demonstrate how the design will provide adequate access to the main, provide adequate cover over the main, and that all structures will be fully independent of the mains and their trenching with no loading on the mains;
- b. Include cross-sections clearly showing the relationship both vertically and horizontally between Council's stormwater infrastructure and the proposed works (including footings), and stating the minimum setbacks from the works to the nearest external surface of the main;
- c. Include a long-section of Council's stormwater main clearly showing proposed cover. If the cover is less than 600mm, plans and full calculations to relevant Australian standards (including construction traffic loading) must be submitted to demonstrate the mains can withstand the likely forces and will be adequately protected. All assumptions must be stated; and
- d. Be certified by a suitably qualified engineer.

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

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

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

Reason for condition

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

ENG 2

Vehicle safety barriers where required by Australian Standard AS/NZS2890.1:2004, compliant with AS/NZS1170.1:2002 must be installed prior to the first occupation.

A certified vehicle crash barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified Engineer, to satisfy the above requirements, must be submitted and approved by Council prior to the issuing of any permit under the Building Act 2000. All works, required by this condition must be undertaken in accordance with certified design.

Prior to the issuing of any Completion Certificate under the Building Act 2000, barriers must be inspected by a qualified engineer and a certification submitted to the Council, confirming that the installed barriers comply with the above requirement.

Advice:

If vehicle safety barriers are not required due to a drop of less than 600mm, the designers should make this clear on the drawings to help avoid unnecessary delays in building approval.

If wheelstops (i.e kerb 90 to 110mm high) are not required due to a drop of less than 150mm, the designers should make this clear on the drawings to help avoid unnecessary delays in building approval.

Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required: <http://www.abcb.gov.au/Resources/NCC>.

Council do not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3.

Reason for condition

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

ENG 14

The driveway and access must be constructed in accordance with certified driveway detailed design drawings, prior to the first occupation.

The driveway and access design must be submitted and approved by Council, prior to the issuing of any permit under the Building Act 2000.

The driveway access design must:

- Be prepared and certified by a suitably qualified engineer that the design is in accordance with the Australian Standard AS/NZS2890.1:2004 (including the requirement for retaining walls, and vehicular safety barriers), or that the design provides for a safe and efficient access.
- Show dimensions, levels, gradients and transitions, and other details as necessary to satisfy the above requirement.

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

Prior to the issuing of any Completion Certificate under the Building Act 2000, documents signed by a suitably qualified engineer, certifying the driveway and access has been constructed in accordance with the certified design drawings must be lodged with the Council.

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

Reason for condition

To ensure that safety of users of the driveway/parking and compliance with the relevant Australian Standard and the National Construction Code.

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. Any damage must be reported immediately to 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 2

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 soil and water management plan (SWMP) must be submitted and approved, prior to the commencement of work. The SWMP must:

- a. be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008).
http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guideline. All work required by this condition must be undertaken in accordance with the approved soil and water management plan (SWMP).

Advice: Once the soil and water management plan (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.

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 building within one metre of and over Council's stormwater main prior to the commencement of work.

The owner must agree to:

- a. not perform any future works to the structure within one metre of the main, including replacement of footings without written permission from Council; and
- b. dismantle/ replace the works at the owner's cost, at Council's request to allow free access to Council's infrastructure.

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

Reason for condition

To ensure that Council's ability to maintain and replace stormwater assets are maintained.

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.

BUILDING PERMIT

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

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the consent of Council in accordance with section 161 Building Act 2000 and Regulation 34 Plumbing Regulations 2004.

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>

ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard

drawings

http://www.hobartcity.com.au/Development/Engineering_Standards_and_G

uidelines

Cross over construction

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

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT- –standard drawings.

[http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines RIGHT OF WAY](http://www.hobartcity.com.au/Development/Engineering_Standards_and_Guidelines_RIGHT_OF_WAY)

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

COUNCIL RESERVES

All work carried out in close proximity to the Council reserves must be in accordance with the Council's Parks, recreation and natural areas by -laws
<http://www.hobartcity.com.au/Council/Legislation>

You are subject to the Council's Parks, recreation and natural areas by –laws in respect to any work carried out in close proximity to the Council reserve.

<http://www.hobartcity.com.au/Council/Legislation>

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment website at:
<http://dpiuwe.tas.gov.au/invasive-species/weeds/weed-hygiene/washdown-guidelines>.

WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety (OH&S) measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours.

<http://www.worksafe.tas.gov.au/safety>

Environmental management and pollution control

http://www.hobartcity.com.au/Environment/Environmental_Health/Environmental_Management_and_Pollution_Control

NOISE REGULATIONS

The following link provides information with respect to noise nuisances in residential areas.

http://www.hobartcity.com.au/Environment/Environmental_Health/Environmental_Management_and_Pollution_Control

FEES AND CHARGES

http://www.hobartcity.com.au/Council/Fees_and_Charges

DIAL BEFORE YOU DIG

www.dialbeforeyoudig.com.au

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 62382715 for assistance.

BRISCOE
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Alderman Harvey declared an interest in item 9.6 and retired.

9.6 37 Colville Street, Battery Point - Partial Demolition, Alterations and Additions
PLN-16-1036 - File Ref: F16/132774

Ref: Open [CPC 7.2.7](#), 28/11/2016
Application Expiry Date: 7 December 2016
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application at 37 Colville Street, Battery Point for partial demolition, alterations and additions for reasons that it complies with the requirements of the *Hobart Interim Planning Scheme 2015*, 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-16-1036 - 37 Colville Street Battery Point TAS 7004 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN S4

The length and height of the extension must be reduced to be consistent with the plans prepared by Preston Lane Architects for project number 16010, labelled A01-00 - A01-01, revision J, dated 17/11/3016.

Amended plans satisfying this condition must be submitted to and approved by the Council's Director City Planning prior to the issuing of any permit under the Building Act 2000.

All work undertaken under this permit must be substantially in accordance with the plans approved under this condition.

Reason for condition

To ensure that the works are consistent with the requirements of the Historic Heritage Code of the Hobart Interim Planning Scheme 2015.

HER 7

Archival quality annotated photographs and drawings of the building and features to be demolished must be recorded prior to commencement of work.

The photographs and drawings must be submitted and approved, prior to the commencement of work. The photographs and drawings must include:

1. Each elevation of the building;
2. The interior of the building;
3. Architectural design detailing of the building;
4. Both electronic and hard copy colour images;
5. Photographs of any detail that may be of historical or architectural interest; and
6. Cross referencing of all photographs to “as existing” plan showing the location and orientation of the camera.

Advice: Once the annotated photographs and drawings have been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

HER 17

The palette of exterior colours and materials must reflect the palette of materials within the local streetscape and precinct.

Plans must be submitted and approved prior to the commencement of work. The plans must:

1. show the proposed colour and finish, exterior cladding to satisfy the above requirement.

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

Advice: Once the plans has been approved Council will issue a

condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure that development at a heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

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

BUILDING PERMIT

Building permit in accordance with the Building Act 2000;

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

WASTE DISPOSAL – TOP TEN TIPS

http://www.hobartcity.com.au/Environment/Recycling_and_Waste

FEES AND CHARGES

http://www.hobartcity.com.au/Council/Fees_and_Charges

DIAL BEFORE YOU DIG

www.dialbeforeyoudig.com.au

BRISCOE
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

Alderman Burnet declared an interest in item 10 and retired.

CITY INFRASTRUCTURE COMMITTEE

**10. Campbell Street, Hobart - Request for Road Closure to Support
Redevelopment of the Royal Hobart Hospital
File Ref: F16/129675; R0388**

Ref: Open [CIC 6.1](#), 30/11/2016

- That:
1. The request by the John Holland Fairbrother Joint Venture for the closure of Campbell Street, Hobart, between Liverpool Street and Campbell Street from 6am on 28 January 2017 until 6am on 11 March 2017, be approved with a single traffic lane to remain open for buses, emergency services vehicles and bicycles.
 2. The developer to provide a travel demand management plan and communication plan to support the road closure to the satisfaction of the General Manager.

DENISON
REYNOLDS

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

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

HARVEY
ZUCCO

That the request by the John Holland Fairbrother Joint Venture for a road closure in Campbell Street, Hobart, between Liverpool Street and Collins Street during February and March 2017 not be approved.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Hickey
Zucco
Briscoe
Sexton
Denison
Harvey

NOES

Deputy Lord Mayor Christie
Ruzicka
Reynolds

COUNCIL RESOLUTION:

That the request by the John Holland Fairbrother Joint Venture for a road closure in Campbell Street, Hobart, between Liverpool Street and Collins Street during February and March 2017 not be approved.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

11. Potential Relationships Between the City of Hobart and Cities in the Asia Pacific Region
File Ref: F16/130023

Ref: Open [EDCC 6.1](#), 1/12/2016

That Council officers further investigate a community development based relationship with Timor Leste and a further report be sought outlining the steps to progress such a relationship.

DEPUTY LORD MAYOR
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

12. City Centre Support and Activation Arrangements
File Ref: F16/113743; 16/135

Ref: Open [EDCC 6.2](#), 1/12/2016

- That:
1. A Super Sidewalk Saturday event be held in the Hobart city centre in August 2017 and 2018 replicating the format of the 2016 event.
 2. The events be funded in the first instance by additional allocations as follows:
 - (a) \$76,000 be listed for consideration in the City Marketing Function as part of the preparation of the 2017/2018 budget;
 - (b) An estimated \$12,000 through income foregone in the Off Street Parking Function as a result of waiving parking fees in the Council's multi-storey car parks for the day of the event, namely, Argyle Street, Hobart Central and Centrepoint car parks.
 3. An annual evaluation be conducted to ensure that the event continues to deliver value for city centre retailers, and that the entertainment and format remains an effective drawcard for consumers.

DEPUTY LORD MAYOR
RUZICKA

That the recommendation be adopted.

AMENDMENT

REYNOLDS
BRISCOE

That officers investigate promoting the use of metro bus services and cycling as a means of transport into the City for the event.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

- That:
1. A Super Sidewalk Saturday event be held in the Hobart city centre in August 2017 and 2018 replicating the format of the 2016 event.
 2. The events be funded in the first instance by additional allocations as follows:
 - (a) \$76,000 be listed for consideration in the City Marketing Function as part of the preparation of the 2017/2018 budget;
 - (b) An estimated \$12,000 through income foregone in the Off Street Parking Function as a result of waiving parking fees in the Council's multi-storey car parks for the day of the event, namely, Argyle Street, Hobart Central and Centrepoint car parks.

3. An annual evaluation be conducted to ensure that the event continues to deliver value for city centre retailers, and that the entertainment and format remains an effective drawcard for consumers.
4. Officers investigate promoting the use of metro bus services and cycling as a means of transport into the City for the event.

13. Review of the Inaugural Antarctic Festival 2016 and the Annual Opening of the Antarctic Season Reception
File Ref: F16/131362

Ref: Open [EDCC 6.3](#), 1/12/2016

- That:
1. The organisers of subsequent Antarctic Festivals be advised that in line with Council policy titled *Applications for Grants – Community Development*, funding for future festivals must be sought through either the City of Hobart Events Grants or the Event Partnership Programs.
 2. Council continue to support the staging of the annual Opening of the Antarctic Season Reception for 150 attendees, and 10 international marine science students, at a cost of approximately \$7,500 to be funded from the Economic Development Function in the 2016/2017 Annual Plan.

DEPUTY LORD MAYOR
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

FINANCE COMMITTEE

14. City Parking Requirements 2016
File Ref: F16/125870; 35-1-4

Ref: Open [FC 6.4](#), 15/11/2016

- That: 1. The information contained in the report of the Group Manager Parking Operations and the Acting Director Financial Services titled 'City Parking Requirements 2016' be received and noted.
2. That correspondence be forwarded to Metro Tasmania and the Department of State Growth highlighting the increasing rate of early bird parking within the City's car parks, to with the aim of encouraging both parties to investigate strategies to increase the appeal of public transport options for commuters.

RUZICKA

DEPUTY LORD MAYOR

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

GOVERNANCE COMMITTEE

15. Community Engagement Framework Review Methodology 2016
File Ref: F16/128686

Ref: Open [GC 6.1](#), 29/11/2016

That the Council endorse the detailed methodology outlined in the report attached to item 6.1 of the Open Governance Committee agenda of 29 November 2016, being used as the basis for the review of the Council's Community Engagement Framework.

RUZICKA

DEPUTY LORD MAYOR

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

16. 2017 Schedule of Aldermanic Workshops
File Ref: F16/132495

Ref: Open [GC 6.2](#), 29/11/2016

RUZICKA

- That:
1. That the Council adopt the 2017 schedule of Aldermanic Workshops outlined in this memorandum.
 2. The Aldermanic Workshops be scheduled for two hours in duration, between 5.00 pm and 7.00 pm to enable multiple topics to be discussed in order to facilitate the high demand for this useful forum.
 3. Subject to availability, and at the discretion of the General Manager, the timeslots also be utilised for Aldermanic briefings.

The motion lapsed for want of a seconder.

PROCEDURAL MOTION

BRISCOE
DEPUTY LORD MAYOR

That the scheduling of Aldermanic Workshops be deferred for further discussion at an Aldermanic Workshop in the new year.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Zucco
Burnet

COUNCIL RESOLUTION:

That the scheduling of Aldermanic Workshops be deferred for further discussion at an Aldermanic Workshop in the new year.

Item 18 was then taken.

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
- Item No. 6 Tas Water - Annual Distributions
LG(MP)R 15(2)(i)
- Item No. 7 City Deals and the Council of Capital City Lord Mayor's Meeting in Canberra
LG(MP)R 15(2)(g)
- Item No. 8 Request for Landowner Consent to Lodge a Planning Permit Application at 28-30 Davey Street, Hobart for Associated Works on Council Land
LG(MP)R 15(2)(c)(i) and (f)

RUZICKA
SEXTON

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Item 8 from the closed portion of the meeting was transferred to the open portion and is minuted as item 18.

**18. Request for Landowner Consent to Lodge a Planning Permit Application at 28-30 Davey Street, Hobart for Associated Works on Council Land
File Ref: F16/134633**

- A That: 1. The following recommendation not be approved.
- Landowner consent be granted to lodge a planning permit application for the hotel tower component of a development at 28-30 Davey Street, Hobart, generally in accordance with the information provided by X-Squared Architects on 16 November 2016, and be subject to the following conditions:
- (i) A minimum unobstructed footpath width of 2 metres is to be maintained along Davey Street, with the full width of the footpath to be dedicated as public highway.
 - (ii) The proponent is to brief the Crown's representative and provide advice from the Crown that the Crown's consent to lodge a planning permit application is not required, prior to the General Manager providing landowner consent on behalf of the Council.
 - (iii) The consent is provided pursuant to Section 52 of the Land Use Planning and Approvals Act 1993 in the Council's capacity as being responsible for the management of the highway and does not, in any way, fetter the Council's powers acting as the planning authority.
- B. That: 2. Landowner consent not be granted to lodge a planning permit application for the Fragrance Group Hotel to erect a pedestrian walkway across Davey Street from Brooke Street to Franklin

Square, as outlined in the information provided by X-Squared Architects, marked as Attachment A to item 2.1 of the Closed Special Joint City Infrastructure Committee and Parks and Recreation Committee agenda of 5 December 2016.

- (i) Further discussions take place with the developer following the Council's consideration of the report from Terroir in relation to City-Cove connectivity.

C. That: 3. The proponent be advised of Council's decision.

BURNET
SEXTON

That parts A, B and C be taken separately.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

BURNET
HARVEY

That: A 1. The following recommendation not be approved.

Landowner consent be granted to lodge a planning permit application for the hotel tower component of a development at 28-30 Davey Street, Hobart, generally in accordance with the information provided by X-Squared Architects on 16 November 2016, and be subject to the following conditions:

- (i) A minimum unobstructed footpath width of 2 metres is to be maintained along Davey Street, with the full width of the footpath to be dedicated as public highway.
- (ii) The proponent is to brief the Crown's representative and provide advice from the Crown that the Crown's consent to lodge a planning permit application is not required, prior to

the General Manager providing landowner consent on behalf of the Council.

- (iii) The consent is provided pursuant to Section 52 of the Land Use Planning and Approvals Act 1993 in the Council's capacity as being responsible for the management of the highway and does not, in any way, fetter the Council's powers acting as the planning authority.

AMENDMENT

ZUCCO
RUZICKA

- That:
- 1. Clause 1 be amended by the deletion of the words *the following recommendation not be approved*.
 - 2. Clause 1 be amended by the insertion of the word *not* after the word *consent*.
 - 3. Clause 1 be amended by the substitution of the words *and be subject to the following conditions* with the words *over Council land*.
 - 4. Clauses 1(i), (ii) and (iii) be deleted.

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

Briscoe
Ruzicka
Sexton
Burnet
Reynolds
Harvey

NOES

Lord Mayor Hickey
Deputy Lord Mayor Christie
Zucco
Thomas
Denison

BURNET
BRISCOE

- That: B 2. Landowner consent not be granted to lodge a planning permit application for the Fragrance Group Hotel to erect a pedestrian walkway across Davey Street from Brooke Street to Franklin Square, as outlined in the information provided by X-Squared Architects, marked as Attachment A to item 2.1 of the Closed Special Joint City Infrastructure Committee and Parks and Recreation Committee agenda of 5 December 2016.
- (i) Further discussions take place with the developer following the Council's consideration of the report from Terroir in relation to City-Cove connectivity.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor
Briscoe
Ruzicka
Sexton
Burnet
Reynolds
Harvey

NOES

Lord Mayor Hickey
Zucco
Thomas
Denison

BURNET
RUZICKA

- That: C 3. The proponent be advised of the Council's decision.

AMENDMENT

ZUCCO
DEPUTY LORD MAYOR

That Clause C3 be deleted.

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

COUNCIL RESOLUTION:

- That: A 1. Landowner consent not be granted to lodge a planning permit application for the hotel tower component of a development at 28-30 Davey Street, Hobart, generally in accordance with the information provided by X-Squared Architects on 16 November 2016, over Council land.
- B 2. Landowner consent not be granted to lodge a planning permit application for the Fragrance Group Hotel to erect a pedestrian walkway across Davey Street from Brooke Street to Franklin Square, as outlined in the information provided by X-Squared Architects, marked as Attachment A to item 2.1 of the Closed

Special Joint City Infrastructure Committee and Parks and Recreation Committee agenda of 5 December 2016.

- (i) Further discussions take place with the developer following the Council's consideration of the report from Terroir in relation to City-Cove connectivity.

The Chairman adjourned the meeting at 8.23 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 8.48 pm.

Item 17 was then taken.

There being no further business the meeting closed at 8.49 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
19TH DAY OF DECEMBER 2016.

CHAIRMAN