



# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 6 FEBRUARY 2017  
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 J R Briscoe, E R Ruzicka, P T Sexton, H C Burnet,  
P S Cocker, D C Thomas, A M Reynolds, T M Denison and W F Harvey.

The Deputy Lord Mayor left the meeting at 7.00 pm, returned at 7.06 pm and was not present for items 18 to 19.

Alderman Sexton left the meeting at 6.42 pm and returned at 6.44 pm, then left the meeting during the closed portion of the meeting and was not present for item 23.

Alderman Cocker left the meeting at 7.03 pm and returned at 7.05 pm.

Alderman Harvey left the meeting at 6.31 pm and returned at 6.35 pm.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Alderman M Zucco.

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 23 January 2017](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DEPUTY LORD MAYOR CHRISTIE  
RUZICKA

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The minutes were signed.

## **2. TRANSFER OF AGENDA ITEMS**

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

No items were transferred.

## **3. COMMUNICATION FROM THE CHAIRMAN**

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### **3.1 Passing of Mrs Deirdre Flint**

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The Lord Mayor advised of the passing of Mrs Deirdre Flint (OAM), former Mayor of the Central Highlands Council who was a magnificent ambassador for the people of the Central Highlands and local government generally.

Alderman Ruzicka expressed her admiration for Mrs Flint in the way she carried out her role and the persistence she displayed in getting things done, along with the leadership and dignity she demonstrated in fulfilling her role.

RUZICKA  
BRISCOE

That the Council provide a letter of condolence to Mrs Flint's family on her passing

MOTION CARRIED

### VOTING RECORD

AYES

NOES

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

### **3.2 Yaizu Delegation**

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The Lord Mayor advised that the City had recently hosted a delegation of 29 members from the City of Yaizu celebrating the 40 year Hobart-Yaizu Sister City relationship.

A number of events were held with the delegation including the planting of a tree in the Royal Tasmanian Botanical Gardens in recognition of the 40 year anniversary.

### **3.3 Friendship City Relationship with the City of Fuzhou**

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The Lord Mayor presented the official agreement which was signed on the establishment of a Friendship City relationship between the City of Hobart and the City of Fuzhou.

The agreement was signed in Fuzhou, Fujian Province in the People's Republic of China by the Deputy Lord Mayor and Acting Mayor You on 3 January 2017.

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

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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**

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No questions were received.

## **6. PETITIONS**

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No petitions were received.

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

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

### **RECOMMENDATION**

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

No supplementary items were received.

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

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.

## **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 1 Knopwood Street (also known as 40-44 Montpelier Retreat), Battery Point - Alterations and Extension for New Basement Swimming Pool PLN-16-1241 - File Ref: F17/4580**

Ref: Open [CPC 7.2.2](#), 30/1/2017  
Application Expiry Date: 27 February 2017  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and extension for new basement swimming pool at 1 Knopwood Street (also known as 40-44 Montpelier Retreat), 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 PLN-16-1241 1 Knopwood Street (also known as 40-44 Montpelier Retreat) 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 2016/01859-HCC dated 12/12/2016 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit is subject to and conditional upon substantial commencement of the development approved by planning permit PLN-15-00971-01.

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.

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.

ENVHE 1

The development works must be undertaken in accordance with the report "Construction Environmental Management Plan" by GES Geo-Environmental Solutions dated July 2015.

Reason for condition

To ensure that the risk to workers conducting excavation remains low and

acceptable.

#### 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](http://www.hobartcity.com.au) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### BUILDING PERMIT

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>

BRISCOE

BURNET

That the recommendation be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

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

**9.2 38 Argyle Street, Hobart - Partial Demolition, Temporary Amenities,  
Extension and Alterations  
PLN-16-1273 - File Ref: F17/5883**

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Ref: Open [CPC 7.2.5](#), 30/1/2017  
Application Expiry Date: 10 March 2017  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, temporary amenities, extension and alterations at 38 Argyle Street, Hobart, 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-16-1273 - 38 Argyle Street, Hobart TAS 7000 - 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 2016-01952-HCC dated 28 December 2016 as attached to the permit.

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.

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 – in accordance with Fact sheet 3 Derwent Estuary Program [click here](#).*

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.

HER 6

All onsite excavation and disturbance within the area of medium archaeological potential as defined in the Praxis Environment Report p.52-53 must be monitored. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 1 day of the discovery; and
5. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within six (6) months of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that building, works and demolition at a place of archaeological potential is planned and implemented in a manner that seeks to understand, retain, protect and manage significant archaeological evidence.

#### 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 the Council's [website](#) 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 2016*. Click [here](#) for more information.

## PLUMBING PERMIT

Plumbing permit in accordance with the *Tasmanian Plumbing Regulations 2014*.

Click [here](#) for more information.

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

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

#### NOES

Item 10 was then taken.

The Lord Mayor advised the Council that they were once again acting as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993*.

### **9.3 Hobart Interim Planning Scheme 2015 - Planning Scheme Amendment 6/2016 and S43A permit application - 191 & 199 New Town Road, New Town - Consideration of Representations** **File Ref: F16/140711**

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Ref: Special Open [CPC 2.1.1](#), 6/2/2017

- That:
1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report attached to item 2.1.1 of the Open City Planning Committee agenda of 6 February 2017 as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 and S43A permit (PLN-16-00655-01).
  2. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning

Commission that the 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 be approved as certified.

3. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the S43A permit (PLN-16-00655-01) be amended by including the following condition and advice:

Condition

PLNs1

Noise generated by the operation of the bottle shop, use of the delivery bay and lockable trolley cages must not cause environmental harm when measured at the north-eastern boundary of the site.

Measures to reduce the potential for noise emanating from the delivery bay and trolley cage area at the north-eastern corner of the site towards adjacent properties to the north/north-east must be incorporated into the overall development. Such measures may incorporate acoustic screens or similar to achieve a reduced noise impact, particularly for deliveries occurring during the evening or early morning.

Design drawings and/or details of the chosen method of reducing noise impact, supported by evidence from a suitably qualified person, must be submitted and approved prior to the issue of building consent for the development, with all works required to be implemented prior to the first use of the new development.

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

Advice: Once the 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 noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLNs2

The building must be set back a minimum of one (1) metre from the northeastern boundary.

Reason for condition

In the interests of minimising impacts upon neighbouring amenity.

Advice

#### AMENITY IMPACT

Noise, dust, odour or other pollutants emitted from any activities associated with the development must not unreasonably cause any disturbance, annoyance or nuisance to owners/occupiers in the vicinity and shall comply with the Environmental Management and Pollution Control Act 1994 and subsequent regulations.

#### 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. If the proposed development requires alteration in order to meet this requirement, any such change should be discussed and if necessary approved by Council prior to the submission of any plans for building consent.

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.

BRISCOE  
THOMAS

That the recommendation be adopted.

#### AMENDMENT

DENISON  
RUZICKA

That condition PLNs2 be deleted.

#### AMENDMENT CARRIED

#### VOTING RECORD

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

#### SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Burnet  
Cocker  
Harvey

**COUNCIL RESOLUTION:**

- That: 1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report attached to item 2.1.1 of the Open City Planning Committee agenda of 6 February 2017 as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 and S43A permit (PLN-16-00655-01).
2. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 be approved as certified.
3. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the S43A permit (PLN-16-00655-01) be amended by including the following condition and advice:

Condition

PLNs1

Noise generated by the operation of the bottle shop, use of the delivery bay and lockable trolley cages must not cause environmental harm when measured at the north-eastern boundary of the site.

Measures to reduce the potential for noise emanating from the delivery bay and trolley cage area at the north-eastern corner of the site towards adjacent properties to the north/north-east must be incorporated into the overall development. Such measures may incorporate acoustic screens or similar to achieve a reduced noise impact, particularly for deliveries occurring during the evening or early morning.

Design drawings and/or details of the chosen method of reducing noise impact, supported by evidence from a suitably qualified person, must be submitted and approved prior to the issue of building consent for the development, with all works required to be implemented prior to the first use of the new development.

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

Advice: Once the 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 noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

Advice

AMENITY IMPACT

Noise, dust, odour or other pollutants emitted from any activities associated with the development must not unreasonably cause any disturbance, annoyance or nuisance to owners/occupiers in the vicinity and shall comply with the Environmental Management and Pollution Control Act 1994 and subsequent regulations.

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. If the proposed development requires alteration in order to meet this requirement, any such change should be discussed and if necessary approved by Council prior to the submission of any plans for building consent.

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.

Item 12 was then taken.

**10. Annual Fees & Charges - Proposed New Fee**  
**File Ref: F17/4983**

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Ref: Open [CPC 8.1](#), 30/1/2017

That the Council approve a new fee of \$50.00 (GST exempt) for public health risk temporary operating licences, for immediate application.

BRISCOE  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 11 was then taken.

**11. Electronic Cigarettes - Sale and Use - Regulatory Impact Statement**  
**File Ref: F17/6194**

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Ref: Open [CPC 8.2](#), 30/1/2017

That the Council endorse the General Manager's formal submission to the Local Government Association of Tasmania, marked as Attachment B to item 8.2 of the Open City Planning Committee agenda of 30 January 2017, in relation to the Regulatory Impact Statement for the sale and use of electronic cigarettes in Tasmania.

BRISCOE  
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Hickey  
Deputy Lord Mayor Christie

Briscoe  
Ruzicka  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

Item 9.3 was then taken.

**CITY INFRASTRUCTURE COMMITTEE**

**12. ICAP AP14 - Salamanca Place between Montpelier Retreat and Gladstone Street - Pedestrian and Outdoor Dining Furniture**  
**File Ref: F17/3967; R0817**

Ref: Open [CIC 6.1](#), 25/1/2017

- That:
1. The alignment of pedestrian zones and areas for outdoor dining on footpaths reconstructed and widened as part of the Salamanca Pedestrian Works Project, be implemented generally as shown on the plan titled 'Salamanca Place Footpath Widening Concept Plan', marked as Attachment E to item 6.1 of the Open City Infrastructure Committee agenda of 25 January 2017, with a pedestrian path adjacent to the building line, to the satisfaction of the General Manager.
  2. Stakeholders who have provided comment on the proposed usage of the widened footpath be so advised.
  3. A further report be provided on options for the future treatment of the section of footpath on the southern side of Salamanca Place between Kennedy Lane and Wooby's Lane, including the option of locating the pedestrian path along the building line.

BURNET  
HARVEY

That the recommendation be adopted.

AMENDMENT

BRISCOE  
REYNOLDS

That the word *urgent* be inserted in Clause 3, following the word *further*.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

**COUNCIL RESOLUTION:**

- That: 1. The alignment of pedestrian zones and areas for outdoor dining on footpaths reconstructed and widened as part of the Salamanca Pedestrian Works Project, be implemented generally as shown on the plan titled 'Salamanca Place Footpath Widening Concept Plan', marked as Attachment E to item 6.1 of the Open City Infrastructure Committee agenda of 25 January 2017, with a pedestrian path adjacent to the building line, to the satisfaction of the General Manager.
2. Stakeholders who have provided comment on the proposed usage of the widened footpath be so advised.
3. A further urgent report be provided on options for the future

treatment of the section of footpath on the southern side of Salamanca Place between Kennedy Lane and Wooby's Lane, including the option of locating the pedestrian path along the building line.

**13. Site Visit Tour of Melbourne - 17 February 2017**  
**File Ref: F17/3132**

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Ref: Open [CIC 6.2](#), 25/1/2017

- That:
1. The Council endorse the participation of Alderman Burnet and any other interested Aldermen, appropriate Council staff and a representative of the Hobart Bicycle Advisory Committee, to attend a tour of Melbourne to inspect pedestrian facilities in the Cities of Port Philip, Stonnington and Yarra on Friday 17 February 2017.
  2. The costs associated with Aldermanic participation in the site tour, estimated at approximately \$500 per person, be funded from the Aldermanic Training and Development allocation in the City Government Function of the 2016/2017 Annual Plan.
  3. The costs associated with officer representation and the representative of the Hobart Bicycle Advisory Committee, estimated at approximately \$500 per person, be funded from the Traffic Engineering Function of the 2016/2017 Annual Plan.
  4. Aldermanic representatives participating in the tour undertake a presentation of the outcomes of the site visit upon their return, for the benefit of Council officers and the public.

BURNET  
HARVEY

That the recommendation be adopted.

AMENDMENT

RUZICKA  
SEXTON

That Alderman Reynolds also participate in the site visit tour of Melbourne.

AMENDMENT CARRIED

VOTING RECORD

AYES

Lord Mayor Hickey  
Deputy Lord Mayor Christie

NOES

Briscoe  
Ruzicka  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. The Council endorse the participation of Aldermen Burnet and Reynolds, appropriate Council staff and a representative of the Hobart Bicycle Advisory Committee, to attend a tour of Melbourne to inspect pedestrian facilities in the Cities of Port Philip, Stonnington and Yarra on Friday 17 February 2017.
2. The costs associated with Aldermanic participation in the site tour, estimated at approximately \$500 per person, be funded from the Aldermanic Training and Development allocation in the City Government Function of the 2016/2017 Annual Plan.
3. The costs associated with officer representation and the representative of the Hobart Bicycle Advisory Committee, estimated at approximately \$500 per person, be funded from the Traffic Engineering Function of the 2016/2017 Annual Plan.
4. Aldermanic representatives participating in the tour undertake a presentation of the outcomes of the site visit upon their return, for

the benefit of Council officers and the public.

**14. Local Government (Highways) Act 1982 - Officer Delegations**  
**File Ref: F17/204; 10-4-1**

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Ref: Open [CIC 6.3](#), 25/1/2017

That pursuant to Section 124 of the *Local Government (Highways) Act 1982*, the delegation of powers to Council officers, marked as Attachment B to item 6.3 of the Open City Infrastructure Committee agenda of 25 January 2017, be approved.

DENISON  
BRISCOE

That the recommendation be adopted.

AMENDMENT

BURNET  
SEXTON

That: 1. The attachment marked as Attachment B to item 6.3 of the Open City Infrastructure Committee agenda of 25 January 2017, be amended as follows:

- (a) The insertion of the words "*where action is required to amend the Municipal Map to reflect the current actual usage of the land*" at the end of clauses (a), (b), (d) and (e) of the General Manager's delegation.
- (b) The insertion of the words "*where action is required to amend the Municipal Map to reflect the current actual usage of the land*" at the end of clauses 1, 2, 5 and 6 of the Director City Infrastructure's delegation.

AMENDMENT CARRIED

VOTING RECORD

AYES  
Lord Mayor Hickey  
Deputy Lord Mayor Christie

NOES

Briscoe  
Ruzicka  
Sexton  
Burnet  
Cocker  
Thomas  
Reynolds  
Denison  
Harvey

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

That pursuant to Section 124 of the *Local Government (Highways) Act 1982*, the delegation of powers to Council officers, marked as Attachment B to item 6.3 of the Open City Infrastructure Committee agenda of 25 January 2017, be approved, amended by the following:

- (a) The insertion of the words *where action is required to amend the Municipal Map to reflect the current actual usage of the land'* at the end of clauses (a), (b), (d) and (e) of the General Manager's delegation.
- (b) The insertion of the words *where action is required to amend the Municipal Map to reflect the current actual usage of the land'* at the end of clauses 1, 2, 5 and 6 of the Director City Infrastructure's delegation

**GOVERNANCE COMMITTEE**

**15. Annual Aldermanic Representation on External Bodies & Membership of the Tasmanian Polar Network**  
**File Ref: F16/124856**

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Ref: Open [GC 6.1](#), 31/1/2017

- That:
1. The verbal reports provided by Aldermen at the Governance Committee meeting of 31 January 2017 with respect to their annual representation on external bodies, be received and noted.
  2. The Council continue its annual membership of the Tasmanian Polar Network to be funded from the Economic Development Function of the 2016/2017 Annual Plan.

RUZICKA  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**16. Aldermanic Representation on Internal and External Bodies - Vacancies**  
**File Ref: F17/6764**

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Ref: Open [GC 6.2](#), 31/1/2017

- That:
1. The Council receive and note the resignation of Alderman Zucco from the following internal committees:
    - Glebe Residents' Traffic Committee;
    - Lenah Valley Residents' Traffic Committee;
    - Mount Stuart Residents' Traffic Committee;
    - Sandy Bay Residents' and Traders' Traffic Committee;
    - South Hobart Residents' Traffic Committee; and the
    - West Hobart Residents' Traffic Committee.

2. In the event that any Aldermen wish to represent the Council on any of the committees listed, they so nominate.
3. The Council receive and note the resignation of Alderman Denison from the Greater Hobart Reference Group Committee – Destination Southern Tasmania, and further note that this Committee is no longer in operation.

RUZICKA  
REYNOLDS

That the recommendation be adopted, noting that no nominations were received in relation to committee representation.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**17. UniverCities Conference and Study Tour**  
**File Ref: F16/141325**

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Ref: Open [GC 6.3](#), 31/1/2017

- That:
1. The Council participate in regular meetings with the University Council and pursue an amendment to the existing memorandum of understanding with the University of Tasmania that seeks to strengthen the strategic relationship between the parties and focus on:
    - a) Joint research initiatives, including the socio-economic impacts of the University's move into the City and the movement of people in and around the City;
    - b) Public realm improvements, and;
    - c) City activation.

2. The development of the new vision for the City of Hobart involve extensive consultation with the University of Tasmania as well as other key stakeholders and acknowledge the importance of higher education in the City.
3. When contemplating a possible City Deal for the Greater Hobart region, the following be taken into consideration:
  - (i) The City Deal be well thought through and recognise what it is hoping to achieve; identify the issues it is seeking to address; is well resourced with appropriate, qualified staff; has a strong leadership structure and appropriate communication and PR support, and involve regional cooperation as well as commitment from the State and Australian Governments.
4. The Council pursue a submission to the Smart Cities and Suburbs Program to gather data to assist the community with travel to work information, address congestion and improve the wider movement of people in the City.
5. An invitation be extended to Gehl Architects to visit the City for the purposes of reviewing the urban transformation work the City has done to date and to provide a public lecture.
6. On receipt of the details of European Union's 'Twin Cities Urban Sustainability' project that a further report be prepared for the Council that considers the cost benefit of the project and identifies potential partner cities, including Freiburg, with whom the Council may partner.
7. A visual presentation of the city design learnings from Bristol and Freiburg be provided to the Council, in conjunction with the University of Tasmania.
  - (i) The Governor of Tasmania, or her delegate, be invited to attend the presentation.
8. The General Manager be delegated the authority to reimburse appropriate officer travel expenses incurred in attending the UniverCities Conference and Study Tour.

RUZICKA  
BRISCOE

That the recommendation be adopted.

AMENDMENT

THOMAS  
DENISON

That Clause 5 be amended to read as follows:

- “5. A further report be provided to investigate extending an invitation to Gehl Architects to visit the City for the purposes of reviewing the urban transformation work the City has done to date and to provide a public lecture.”

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. The Council participate in regular meetings with the University Council and pursue an amendment to the existing memorandum

of understanding with the University of Tasmania that seeks to strengthen the strategic relationship between the parties and focus on:

- a) Joint research initiatives, including the socio-economic impacts of the University's move into the City and the movement of people in and around the City;
  - b) Public realm improvements, and;
  - c) City activation.
2. The development of the new vision for the City of Hobart involve extensive consultation with the University of Tasmania as well as other key stakeholders and acknowledge the importance of higher education in the City.
  3. When contemplating a possible City Deal for the Greater Hobart region, the following be taken into consideration:
    - (i) The City Deal be well thought through and recognise what it is hoping to achieve; identify the issues it is seeking to address; is well resourced with appropriate, qualified staff; has a strong leadership structure and appropriate communication and PR support, and involve regional cooperation as well as commitment from the State and Australian Governments.
  4. The Council pursue a submission to the Smart Cities and Suburbs Program to gather data to assist the community with travel to work information, address congestion and improve the wider movement of people in the City.
  5. A further report be provided to investigate extending an invitation to Gehl Architects to visit the City for the purposes of reviewing the urban transformation work the City has done to date and to provide a public lecture.
  6. On receipt of the details of European Union's 'Twin Cities Urban Sustainability' project that a further report be prepared for the Council that considers the cost benefit of the project and identifies potential partner cities, including Freiburg, with whom the Council may partner.
  7. A visual presentation of the city design learnings from Bristol and Freiburg be provided to the Council, in conjunction with the University of Tasmania.
    - (i) The Governor of Tasmania, or her delegate, be invited to attend the presentation.
  8. The General Manager be delegated the authority to reimburse

appropriate officer travel expenses incurred in attending the UniverCities Conference and Study Tour.

**18. 2016–17 Annual Plan Progress Report - Period Ended 31 October 2016**  
**File Ref: F17/2297; 21-1-1**

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Ref: Open [GC 6.4](#), 31/1/2017

That the Council endorse the 2016/2017 Annual Plan Progress Report, marked as Attachment A to item 6.4 of the Open Governance Committee agenda of 31 January 2017, for the period ended 31 October 2016.

RUZICKA  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**19. City Planning Committee Membership - Maintaining a Quorum**  
**File Ref: F17/1753**

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Ref: Open [GC 11](#), 31/1/2017

That the Council's policy titled 'Meetings: Procedures and Guidelines' be amended to enable any Alderman who is not an appointed member of the committee who is in attendance at a City Planning Committee meeting, to be considered an ex-officio member, for the purposes of establishing and maintaining a quorum.

RUZICKA  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**20. Conduct of Council Workshops**

**File Ref: F17/6468**

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Ref: Open [GC 12](#), 31/1/2017

That the City of Hobart utilise the council workshop forum as allowed under the *Local Government (Meeting Procedures) Regulations 2015* as a mechanism to receive information in relation to specific matters, and adopt the following rules in relation to the conduct of workshops:

- (i) Aldermen may utilise and participate in council workshops to receive information on specific matters, so that they may gain maximum understanding and appreciation of the subject matter.
- (ii) As informal meetings conducted for the purpose of providing Aldermen with information, attendance is optional.
- (iii) Decisions may not be taken on any matter at Council workshops as qualified advice is required in accordance with section 65 of the *Local Government Act 1993* before any decisions can be made.
- (iv) Council workshops will not be used with the intent to gain consensus on matters, but it is reasonable that Aldermen will discuss issues and exchange views.
- (v) Where the General Manager deems appropriate, external parties may be used to facilitate or assist with the conduct of Council workshops.
- (vi) These rules will be published on the cover page of documentation provided for all workshops.

RUZICKA  
SEXTON

That the recommendation be adopted.

AMENDMENT

THOMAS  
DENISON

That a report be prepared in relation to the following additional rules:

1. A report being provided from each workshop consisting of:
  - (a) Copies or details of any presentation made;
  - (b) Any major points raised by Aldermen and presenters;
  - (c) A list of points arising from the workshop to be discussed at a subsequent formal meeting of the Council.
2. Where possible workshops be recorded and made available to Aldermen.
3. To avoid misinterpretation, any reporting of Aldermanic attendance at workshops displayed on the Council's website be clearly differentiated from reporting of attendance at Council and committee meetings.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	

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

**COUNCIL RESOLUTION:**

- That: 1. The City of Hobart utilise the council workshop forum as allowed under the *Local Government (Meeting Procedures) Regulations 2015* as a mechanism to receive information in relation to specific matters, and adopt the following rules in relation to the conduct of workshops:
- (i) Aldermen may utilise and participate in council workshops to receive information on specific matters, so that they may gain maximum understanding and appreciation of the subject matter.
  - (ii) As informal meetings conducted for the purpose of providing Aldermen with information, attendance is optional.
  - (iii) Decisions may not be taken on any matter at Council workshops as qualified advice is required in accordance with section 65 of the *Local Government Act 1993* before any decisions can be made.
  - (iv) Council workshops will not be used with the intent to gain consensus on matters, but it is reasonable that Aldermen will discuss issues and exchange views.
  - (v) Where the General Manager deems appropriate, external parties may be used to facilitate or assist with the conduct of Council workshops.
  - (vi) These rules will be published on the cover page of documentation provided for all workshops.
2. A report be prepared to consider the following additional rules:
- (i) (a) A report being provided from each workshop consisting of:
    - (b) Copies or details of any presentation made;
    - (c) Any major points raised by Aldermen and presenters;

- (d) A list of points arising from the workshop to be discussed at a subsequent formal meeting of the Council.
- (ii) Where possible workshops be recorded and made available to Aldermen.
- (iii) To avoid misinterpretation, any reporting of Aldermanic attendance at workshops displayed on the Council's website be clearly differentiated from reporting of attendance at Council and committee meetings.

The Lord Mayor vacated the Chair and the Deputy Lord Mayor took the Chair.

## RISK AND AUDIT PANEL

### 21. Annual Report on the Risk and Audit Panel Activities 2016 File Ref: F16/130519; 20-14-7

Ref: Open [RAP 7.1](#), 8/12/2016

1. The Council endorse the Risk and Audit Panel's 2017 draft Work Plan, marked as Attachment A to the agenda.
2. The Council note that the Risk and Audit Panel has reviewed its Terms of Reference and considers that they are appropriate and relevant and do not require amendment at this time.
3. The Council endorse the Risk and Audit Panel's recommendation that the Governance Committee review Section H of the Council policy titled *Aldermanic Development and Support*, in order to provide for the referral of disputed claims for reimbursement of expenses, to a body other than the Risk and Audit Panel.

BRISCOE  
THOMAS

That the recommendation be adopted.

### AMENDMENT

LORD MAYOR HICKEY  
SEXTON

That a report be provided assessing the remuneration of the independent Risk and Audit Panel members, with comparable sized Councils who operate similarly structured Panels.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. The Council endorse the Risk and Audit Panel's 2017 draft Work Plan, marked as Attachment A to the agenda.
2. The Council note that the Risk and Audit Panel has reviewed its Terms of Reference and considers that they are appropriate and relevant and do not require amendment at this time.
3. The Council endorse the Risk and Audit Panel's recommendation that the Governance Committee review Section H of the Council policy titled *Aldermanic Development and Support*, in order to provide for the referral of disputed claims for reimbursement of expenses, to a body other than the Risk and Audit Panel.
4. A report be provided assessing the remuneration of the independent Risk and Audit Panel members, with comparable

sized Councils who operate similarly structured Panels.

The Lord Mayor resumed the Chair.

**SPECIAL REPORT – GENERAL MANAGER**

**22. Alderman Sexton - Resignation as Chairman of the Community, Culture and Events Committee**  
**File Ref: F17/8946**

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- That:
1. The Council receive and note the resignation of Alderman Sexton as the Chairman of the Community, Culture and Events Committee.
  2. Alderman Harvey be appointed as the Chairman of the Community Culture and Events Committee.

DEPUTY LORD MAYOR CHRISTIE  
DENISON

That the recommendation be adopted.

The Lord Mayor called for nomination to fill the vacancy of Chairman of the Community Culture and Events Committee.

Alderman Cocker nominated Alderman Harvey to fill the role.

No further nominations were received.

AMENDMENT  
COCKER  
THOMAS

That Alderman Harvey be elected the Chairman of the Community, Culture and Events Committee.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

The Lord Mayor declared Alderman Harvey elected as the Chairman of the Community, Culture and Events Committee.

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

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The following items were discussed:-

- |              |  |
|--------------|--|
| Item No. 1   | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2   | Communication from the Chairman  |
| Item No. 3   | Leave of Absence   |
| Item No. 4   | Consideration of supplementary Items to the agenda                       |
| Item No. 5   | Indications of pecuniary and conflicts of interest                       |
| Item No. 6.1 | Sandy Bay Road, Hobart and Adjacent Reserve<br>LG(MP)R 15(4)(a) and (b)  |
| Item No. 7   | Hobart City Council Facebook Page<br>LG(MP)R 15(2)(a), (i) and e(i)      |

DEPUTY LORD MAYOR CHRISTIE  
BRISCOE

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

The Chairman adjourned the meeting at 7.31 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 8.50 pm.

Item 23 was then taken.

There being no further business the meeting closed at 8.51 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
20<sup>TH</sup> DAY OF FEBRUARY 2017.

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**CHAIRMAN**