



# CITY OF HOBART

## MINUTES

OPEN PORTION  
MONDAY, 5 FEBRUARY 2018  
AT 5:00 PM  
COUNCIL CHAMBER, TOWN HALL

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## ORDER OF BUSINESS

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**SUPPLEMENTARY ITEMS**

**ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE**

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**PRESENT:**

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

Alderman Burnet left the meeting at 6:48 pm after declaring an interest in item 17 and was not present for item 16.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

The Lord Mayor Alderman S L Hickey

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that he has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 22 January 2018](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

RUZICKA  
BRISCOE

That the minutes be signed.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Acting Lord Mayor Christie  
Zucco  
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 Long Beach Outdoor Gym Project**

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That the correspondence from Evan Campbell supporting the Long Beach Outdoor Gym Project containing 226 signatures be received and noted.

BURNET  
HARVEY

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

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

#### **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 the following 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*.

RUZICKA  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

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

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

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

Alderman Burnet indicated an interest in item 17

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## REPORTS OF COMMITTEES

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### CITY PLANNING COMMITTEE

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#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

#### 9.1 83 Athleen Avenue, Lenah Valley - Multiple Dwellings PLN-17-691 - File Ref: F18/5589

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Ref: Open [CP 7.1.1](#), 29/01/2018  
Application Expiry Date: 6 February 2018  
Extension of Time: Not applicable

That Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Multiple Dwellings at 83 Athleen Avenue, Lenah Valley 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-17-691 - 83 ATHLEEN AVENUE LENA VALLEY 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 2017/01466-HCC dated 13 December 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 2

Prior to the first occupation:

- a) a solid screen with a minimum height of 1m above the level of the driveway must be installed between the driveway and the bedroom windows proposed on the eastern side of the ground floor of the northernmost dwelling, and,
- b) either, a screen to baffle sound from vehicles must be installed between the driveway and the bedroom windows proposed on the eastern side of the ground floor of the middle dwelling, or, measures must be incorporated into the construction of the dwelling to reduce the impact of vehicle noise on this habitable room.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved demonstrating compliance with the above requirements.

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

Reason for condition

To minimise potential detrimental impacts of vehicle noise and vehicle light intrusion upon habitable rooms.

PLN 17

Prior to first occupation, external lighting to illuminate the driveway, visitor car parking, and turning areas must be provided in accordance with *AS/NZS1158.3.1:2005 Lighting for Roads and Public Spaces*.

Prior to the first occupation, the external lighting must operate in accordance with *AS4282 Control of the Obtrusive Effects of Outdoor Lighting*.

Reason for condition

To ensure that parking and vehicle circulation roadways used outside daylight hours are provided with lighting to a standard which:

- a) enables easy and efficient use;
- b) promotes the safety of users;

- c) minimises opportunities for crime or anti-social behaviour; and
- d) prevents unreasonable light overspill impacts.

#### PLN 5

Landscaping of the site as shown on the approved Landscape and Servicing Plan (dated 06/07/2017, drawing A-02 Rev A) must be completed within 12 months of first occupation and maintained for the life of the dwellings. Replacement vegetation of a similar size must be planted if any of the vegetation is destroyed within 30 days of any of the vegetation being destroyed.

#### Reason for condition

To assist in reducing the apparent scale and bulk of the development.

#### PLN s4

Prior to first occupation, a storage area for waste and recycling bins must be provided for each dwelling.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing a storage area for waste and recycling bins for each dwelling.

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

#### Reason for condition

To provide for the storage of waste and recycling bins for multiple dwellings.

#### ENG sw6

All stormwater from the proposed development (including but not limited to: roofed areas; ag-drains; retaining wall ag-drains; and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG sw7

Stormwater pre-treatment for stormwater discharges from the development must be installed prior to the commencement of use.

The stormwater pre-treatment system must incorporate a treatment system of a size and design sufficient to achieve the stormwater quality targets in accordance with the State Stormwater Strategy 2010.

The stormwater pre-treatment system must be maintained for the life of the development.

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 2a

Vehicular barriers compliant with the Australian Standard AS1170.1 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

*Advice:*

*The Council does 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. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*

*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.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

A certified vehicle barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified engineer, compliant with Australian Standard AS1170.1, must be submitted prior to the issue of any approval under the *Building Act 2016*, or the commencement of works on site. All works, required by this condition must be undertaken in accordance with certified design.

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the first occupation, vehicular barriers must be inspected by a qualified engineer and certification submitted to Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS1170.1.

*Advice: Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent) and surface drained to the Council's stormwater system prior to the first occupation.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 5

The number of car parking spaces approved on the site is seven (7).

Prior to first occupation the turning bay must:

1. Be outlined with unbroken lines 80 to 100 mm wide on all sides and marked with diagonal stripes 150 to 200 mm wide with spaces 200 to 300 mm between stripes. The stripes must be at an angle of 45 +/- 10 degrees to the side of the space; and
2. Include pavement messaging indicating TURNING BAY in accordance with AS1742.11 Section 7.3.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

ENG 3a

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a design certified by a suitably qualified engineer to be safe.

*Advice:*

*It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.*

*It is recommended that the garage door widths are widened slightly to ensure the two car parking spaces for each dwelling can operate independently. The current design, although compliant with AS2890.1, may require 5 or 7 point turns for exit from car parking spaces if a car larger than a B85 is parked in the adjacent space.*

Reason for condition

To ensure safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Aldanmark drawings 17E24-7 C1.01 to C1.03 and C2.01 to 2.03 Rev B. Visitor Parking and Turning Bay to be maximum 5% longitudinal gradient.

Prior to the first occupation or commencement of use (whichever occurs first), documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be submitted.

*Advice: Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENG 1

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

A photographic record of the Council's infrastructure adjacent to the

subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, 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's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG r3

Prior to the commencement of use, the proposed driveway crossover to the Athleen Avenue highway reservation must be designed and constructed in general accordance with the following Tasmanian Standard Drawings (TSD):

1. Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing; and
2. Footpath - Urban Roads Footpaths TSD-R11-v1.

Design drawings must be submitted and approved, prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site, whichever occurs first. The design drawings must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property;
2. Detail any services or infrastructure (e.g. light poles, pits, awnings) at or near the proposed driveway crossover;
3. Detail the proximity to the Council's retaining wall (located within

the highway reservation) and any impact the proposed construction will have on the retaining wall footings;

4. Show swept path templates in accordance with AS/NZS 2890.1 2004  
(B85 or B99 depending on use, design template);
5. Where the design deviates from the requirements of the TSD, demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the vehicle's underside;
6. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004; and
7. Be prepared and certified by a suitable qualified person.  
All work required by this condition must be undertaken in accordance with the approved design drawings.

*Advice:*

*You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve such as new driveway crossover). [Click here for more information.](#)*

Reason for condition

To ensure that works will comply with the Council's standard requirements.

ENV 8

The development must be designed, constructed and carried out in accordance with the following requirements:

1. All earthworks must comply with AS3798 - Guidelines on earthworks for commercial and residential developments.
2. A site specific soil assessment must be undertaken to determine appropriate foundation design for all structures in accordance with AS2870 - Residential slabs and footings.
3. All construction must be based on thorough investigation,

reporting, and design by appropriately qualified persons.

4. All stormwater on site must be immediately directed to Council mains upon the construction of hard surfaces to minimise the potential for uncontrolled stormwater flows to affect slope stability.
5. All design and construction must be undertaken in accordance with Australian Geomechanics Society Geoguides (2007) except where modified by a condition of the subdivision permit that approved creation of the lot and where structures are founded in underlying weathered gravels rather than bedrock.
6. All surface drainage upslope of site fill must be connected to a Council approved stormwater system or an approved stormwater management system to divert surface water away from any site fill.

Reason for condition

To ensure that landslide risk is tolerable

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 SWMP must be submitted prior to the issue of any approval under the

Building Act 2016 or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

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

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

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.

ENV s1

All design and construction must be undertaken in accordance with the following:

1. All seepage waters encountered during the construction of excavations must be collected and directed to the Council's stormwater drainage system or an approved stormwater disposal system.
2. All natural vegetation must be retained wherever practicable.
3. All natural contours must be retained where practicable.
4. All areas requiring fill must be prepared by stripping the vegetation and topsoil from the proposed fill area and by benching or keying the surface to receive the fill into the natural slope prior to filling.
5. Only clean fill materials may be used and all fill material must be adequately compacted.
6. Boulders exposed during excavation operations must be assessed by a suitably qualified person to determine slope stability risk and any boulders at risk of instability must be stabilised.

Reason for condition

To ensure that landslide risk is tolerable

ENV s2

All permanent cutting and/or filling must be constructed with batter slopes certified by a suitably qualified engineer or a drained retaining

wall designed by an appropriately qualified person. For all permanent cutting or filling up to a height of 1m, cut and fill batters with a height no greater than 1m must be constructed with a batter slope certified by a suitably qualified engineer. Where certified batter slopes are not possible, or where cutting and filling will exceed 1m in height, a drained retaining wall designed by an appropriately qualified person must be constructed to retain the permanent excavation of the fill materials as soon as possible after the cut/fill operation. The drainage must be directed to the Council's stormwater drainage system or an approved stormwater disposal system. Prior to any permanent cutting of filling and/or construction of any retaining wall, drawings demonstrating compliance with this condition must be submitted to and approved.

Reason for condition

To ensure that landslide risk is tolerable

ENV s3

Prior to the issue of any approval under the *Building Act 2016*, or the commencement of works on site, whichever occurs first, comprehensive and detailed engineering designs prepared by an accredited civil engineer/civil designer for the development including drainage, services, earthworks, retaining structures and roads must be submitted and approved. The comprehensive and detailed engineering designs must demonstrate compliance with all relevant geotechnical conditions of this permit.

The submitted comprehensive and detailed engineering designs must be certified in writing by either a civil engineer, civil designer, geotechnical engineer or engineering geologist as being in full accordance with all relevant geotechnical conditions of this permit and that all relevant geotechnical conditions of this permit have been fully incorporated into the design documents.

The development must be undertaken in accordance with the approved design documents.

Reason for condition

To ensure that landslide risk is tolerable

ENV s4

Prior to completion, confirmation in writing by either a civil engineer, civil designer, geotechnical engineer or engineering geologist that all relevant geotechnical conditions of this permit have been fully complied with must be submitted and approved.

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

Reason for condition

To ensure that landslide risk is tolerable

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.

CONDITION ENDORSEMENT

If a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning](#)

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied). Detailed instructions can be found [here](#).

#### BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

#### PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

#### OCCUPATION OF THE PUBLIC HIGHWAY

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve such as new driveway crossover). Click [here](#) for more information.

#### STORM WATER

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. Click [here](#) for more information.

#### ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

#### 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. Click [here](#) for more information.

#### 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](#).

#### FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

#### DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

#### PART 5 AGREEMENT

Please note that Part 5 Agreement E37907 applies to the owner(s) of the land. The Agreement requires the owner(s) to implement, maintain and comply with the recommendations of the Geotechnical Management Plan in relation to the land. The recommendations of the Geotechnical Management Plan have been incorporated into the conditions of this permit.

BRISCOE  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

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

**9.2 479 Churchill Avenue, Sandy Bay - Partial Demolition, Alterations and Change of Use to Multiple Dwellings  
PLN-17-753 - File Ref: F18/5812**

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Ref: Open [CP 7.1.2](#), 29/01/2018  
Application Expiry Date: 2 March 2018  
Extension of Time: Not applicable

That Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations and Change of Use to Multiple Dwellings at 479 Churchill Avenue, Sandy Bay 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-17-753 - 479 CHURCHILL AVENUE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw6

All stormwater from the proposed development (including but not limited to: roofed areas; ag-drains; retaining wall ag-drains; and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG 2a

Vehicular barriers compliant with the Australian Standard AS1170.1 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

*Advice:*

*The Council does 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.*

*Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*

*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.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

A certified vehicle barrier design (including site plan with proposed location(s) of installation), prepared by a suitably qualified engineer, compliant with Australian Standard AS1170.1, must be submitted to the Council prior to the issue of any approval under the *Building Act 2016*, or the commencement of works on site. All works, required by this condition must be undertaken in accordance with certified vehicle barrier design.

*Advice:*

*Once the certified vehicle barrier design has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

*Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to first occupation or commencement of use (whichever occurs first), the installed vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that they comply with the certified design and Australian Standard AS1170.1.

*Advice: Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

#### ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent council approved) and surface drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

#### Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

#### ENG 11

Prior to the commencement of the use, the proposed crossover to the Churchill Avenue highway reservation must be designed and constructed in general accordance with the following Tasmanian Standard Drawings:

1. Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing; and
2. Footpath - Urban Roads Footpaths TSD-R11-v1.

#### *Advice:*

*You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.*

Local Government Association Tasmania (LGAT) Standard Drawings can be viewed electronically via the [LGAT website](#).

#### Reason for condition

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

#### ENG 14

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the PDA drawings H-2092C-1 to 8.

Prior to first occupation or commencement of use (whichever occurs

first), documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with the Council.

*Advice: Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure that the access driveway and parking module for the development is consistent with the planning documentation.

ENG 1

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, 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's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

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, and 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.

#### 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.

#### CONDITION ENDORSEMENT

If a condition endorsement is required by a planning condition above, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning](#)

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied). Detailed instructions can be found [here](#).

#### BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

#### PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

#### OCCUPATION OF THE PUBLIC HIGHWAY

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

#### STORM WATER

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. Click [here](#) for more information.

#### ACCESS

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

#### 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. Click [here](#) for more information.

#### 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](#).

#### NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

#### WASTE DISPOSAL

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's [website](#).

#### FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

#### DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

BRISCOE  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**10. Southern Tasmania Regional Land Use Strategy - Proposed Amendments**

**File Ref: F18/3331; S32-006-01/02**

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Ref: Open [CP 8.1](#), 29/01/2018

BRISCOE  
DENISON

That the Council advise the Minister for Planning and Local Government that it supports the proposed amendments to the Southern Tasmania Regional Land Use Strategy as outlined in Attachment A to item 8.1 of the Open City Planning Committee agenda of 29 January 2018.

MOTION CARRIED

VOTING RECORD

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

**GOVERNANCE COMMITTEE**

**11. Questions On Notice - Procedures**

**File Ref: F18/5306**

Ref: Open [GC 6.1](#), 30/01/2018

That: 1. The Council endorse the following parameters in defining the nature of a Question on Notice:

- (i) Where a Question on Notice may be submitted under r 30 of the Local Government (Meeting Procedures) Regulations 2015, the definition of the term “question” is the same as that adopted by the Council at its meeting on 4 December 2017, in respect to Questions Without Notice, ie:

“The purpose of a question on notice is to obtain information of a factual nature which requires minimal research or investigation. Any matter which requires detailed research, investigation, interpretation, and analysis and/or officer advice for Council’s consideration, should be dealt with by a Notice of Motion, and will not be accepted by the General Manager as a question on notice.

2. The following framework for dealing with Questions on Notice lodged under r 30 of the Local Government (Meeting Procedures) Regulations 2015, be adopted:

- (i) Questions are to be lodged with the General Manager at least seven clear days prior to an ordinary meeting of the Council or a Council committee, as provided under r 30 (1) of the Local Government (Meeting Procedures) Regulations 2015.
- (ii) Questions which relate to another item which is listed on the same agenda of a Council or Council committee meeting will not be accepted by the General Manager.
- (iii) The General Manager will refuse to accept a question on notice for a Council committee if the subject matter does not relate to the Terms of Reference of the committee.
- (iv) In placing a question on the relevant agenda, the General Manager is to determine whether the subject matter necessitates placement on either the open or closed portion of the meeting, in consideration of r 15 of the Local Government (Meeting Procedures) Regulations 2015.
- (v) The General Manager may refuse a request to place a question on an agenda if it has been previously asked, is unclear, defamatory or improper, in which case the Alderman submitting the question will be notified accordingly.

- (vi) Where it has not been possible to prepare a response to a question for inclusion on the relevant agenda, the General Manager will note this accordingly on the agenda and provide advice as to the timing of the response.
- (vii) The chairman of a meeting may permit debate of a question on notice, or its response, and may accept amendments including requests for further information.

RUZICKA  
REYNOLDS

That the recommendation be adopted.

AMENDMENT

SEXTON  
BRISCOE

That clause 2 (vii) be amended to read as follows:

- “(vii) Where a response to a question has been provided by the General Manager, will permit debate of question on notice, or its response, and will accept amendments, including requests for further information.”

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	Thomas
Zucco	
Briscoe	
Ruzicka	

Sexton  
Burnet  
Cocker  
Reynolds  
Denison  
Harvey

**COUNCIL RESOLUTION:**

That: 1. The Council endorse the following parameters in defining the nature of a Question on Notice:

- (i) Where a Question on Notice may be submitted under r 30 of the Local Government (Meeting Procedures) Regulations 2015, the definition of the term “question” is the same as that adopted by the Council at its meeting on 4 December 2017, in respect to Questions Without Notice, ie:

“The purpose of a question on notice is to obtain information of a factual nature which requires minimal research or investigation. Any matter which requires detailed research, investigation, interpretation, and analysis and/or officer advice for Council’s consideration, should be dealt with by a Notice of Motion, and will not be accepted by the General Manager as a question on notice.

2. The following framework for dealing with Questions on Notice lodged under r 30 of the Local Government (Meeting Procedures) Regulations 2015, be adopted:

- (i) Questions are to be lodged with the General Manager at least seven clear days prior to an ordinary meeting of the Council or a Council committee, as provided under r 30 (1) of the Local Government (Meeting Procedures) Regulations 2015.
- (ii) Questions which relate to another item which is listed on the same agenda of a Council or Council committee meeting will not be accepted by the General Manager.
- (iii) The General Manager will refuse to accept a question on notice for a Council committee if the subject matter does not relate to the Terms of Reference of the committee.
- (iv) In placing a question on the relevant agenda, the General Manager is to determine whether the subject matter necessitates placement on either the open or closed portion of the meeting, in consideration of r 15 of the Local Government (Meeting Procedures) Regulations 2015.
- (v) The General Manager may refuse a request to place a question on an agenda if it has been previously asked, is unclear, defamatory or improper, in which case the Alderman

submitting the question will be notified accordingly.

- (vi) Where it has not been possible to prepare a response to a question for inclusion on the relevant agenda, the General Manager will note this accordingly on the agenda and provide advice as to the timing of the response.
- (vii) Where a response to a question has been provided by the General Manager, will permit debate of question on notice, or its response, and will accept amendments, including requests for further information.

## 12. Councillor Allowances - Issues Paper File Ref: F18/5860

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Ref: Open [GC 6.2](#), 30/01/2018

- That
1. The Council provide a submission in response to the Board of Inquiry's review of allowances paid to Local Government Councillors specifically addressing the following:
    - a) The Board's review would benefit from including member(s) with Local Government experience
    - b) Appropriate recognition for superannuation within the quantum of the allowance.
    - c) Introduction of a loading in recognition of the workload associated with Hobart's capital city status.
    - d) Concept of sitting fees be explored by the Board (in line with Perth and Darwin)
    - e) Consideration be given to incentivising ongoing learning by Aldermen.
    - f) Deputy Lord Mayor receive the Lord Mayor's allowance when acting in the role of Lord Mayor for an extended period, for example greater than seven days.
  2. In the event the Council wishes to provide an oral submission to the Board of Inquiry, nominations be sought from interested Aldermen.

RUZICKA  
REYNOLDS

That the recommendation be adopted.

AMENDMENT

BRISCOE  
SEXTON

- That: 1. The following words be added to the end of clause 1 *principles which are to be put forward for consideration by the Board and noting that in doing so, the Council is not putting forward a definitive position on any of the particular issues.*
2. Clause 1 f) be varied by the deletion of all words after the word *period.*
3. Clause 2 be varied to reflect that the Council wishes to provide an oral submission to the Board of Inquiry and the following Aldermen be nominated to present to the Board, subject to their availability: The Acting Lord Mayor Alderman Christie, Aldermen Briscoe, Ruzicka and Thomas.
4. The General Manager provide a paper to assist those Aldermen providing the oral submission, which includes relevant factual information around each of the principles put forward by the Council.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Acting Lord Mayor Christie	Zucco
Zucco	
Briscoe	
Ruzicka	

Sexton  
Burnet  
Cocker  
Reynolds  
Denison  
Harvey

**COUNCIL RESOLUTION:**

- That 1. The Council provide a submission in response to the Board of Inquiry's review of allowances paid to Local Government Councillors specifically addressing the following principles which are to be put forward for consideration by the Board and noting that in doing so, the Council is not putting forward a definitive position on any of the particular issues.:
- a) The Board's review would benefit from including member(s) with Local Government experience
  - b) Appropriate recognition for superannuation within the quantum of the allowance.
  - c) Introduction of a loading in recognition of the workload associated with Hobart's capital city status.
  - d) Concept of sitting fees be explored by the Board (in line with Perth and Darwin)
  - e) Consideration be given to incentivising ongoing learning by Aldermen.
  - f) Deputy Lord Mayor receive the Lord Mayor's allowance when acting in the role of Lord Mayor for an extended period.
2. The Council wishes to provide an oral submission to the Board of Inquiry and the following Aldermen be nominated to present to the Board, subject to their availability: The Acting Lord Mayor Alderman Christie, Aldermen Briscoe, Ruzicka and Thomas.
3. The General Manager provide a paper to assist those Aldermen providing the oral submission, which includes relevant factual information around each of the principles put forward by the Council.

**13. Appointment of Acting General Manager**

**File Ref: F18/6308; S11-002-01**

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Ref: Open [GC 6.3](#), 30/01/2018

That the Deputy General Manager be appointed to act in the office of the General Manager during every absence of the General Manager for a term of five years pursuant to s61B(4) of the Local Government Act 1993.

RUZICKA  
HARVEY

That the recommendation be adopted with the inclusion of the words “on leave” after the word “manager”, third occurring.

MOTION CARRIED

VOTING RECORD

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

**COUNCIL RESOLUTION:**

That the Deputy General Manager be appointed to act in the office of the General Manager during every absence of the General Manager on leave, for a term of five years pursuant to s61B(4) of the Local Government Act 1993.

**14. Hobart City Deal  
Heads of Agreement**

**File Ref: F18/6646**

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Ref: Open [GC 6.4](#), 30/01/2018

- That
1. The Heads of Agreement for a Hobart City Deal marked as Attachment A to Item 6.4 on the Open Governance Committee meeting agenda of 30 January 2018 be noted.
  2. The General Manager be authorised to:

- (i) participate in officer discussions on the formation of a City Deal for Hobart, including the scoping of a Greater Hobart Act; and
  - (ii) provide regular reports to the Council on these matters, including the implications on Council resources and priorities.
3. The Acting Lord Mayor write an appropriate letter to the Prime Minister acknowledging the Hobart City Deal and the commitment of the Council to make a contribution to the Deal. A copy of the letter also be forwarded to the federal MHA's for Denison and Franklin as well as all Tasmanian Federal Senators.

RUZICKA  
REYNOLDS

That the recommendation be adopted.

AMENDMENT

SEXTON  
THOMAS

That clause 3 of the recommendation be amended to read as follows:

3. The Acting Lord Mayor write to the Prime Minister acknowledging that the City of Hobart is interested in participating in a Hobart City Deal, and strongly supports the Stem Project being the subject of the Deal, and further to this the Council may make a contribution to the government's final offer upon receipt of details of the Deal, including proposed timeframes for delivery.
  - (i) A copy of the letter also be forwarded to the federal MHA's for Denison and Franklin as well as all Tasmanian Federal Senators.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That
1. The Heads of Agreement for a Hobart City Deal marked as Attachment A to Item 6.4 on the Open Governance Committee meeting agenda of 30 January 2018 be noted.
  2. The General Manager be authorised to:
    - (i) participate in officer discussions on the formation of a City Deal for Hobart, including the scoping of a Greater Hobart Act; and
    - (ii) provide regular reports to the Council on these matters, including the implications on Council resources and priorities.
  3. The Acting Lord Mayor write to the Prime Minister acknowledging that the City of Hobart is interested in participating in a Hobart City Deal, and strongly supports the Stem Project being the subject of the Deal, and further to this the Council may make a contribution to the government's final offer upon receipt of details of the Deal, including proposed timeframes for delivery.
    - (i) A copy of the letter also be forwarded to the federal MHA's for Denison and Franklin as well as all Tasmanian Federal Senators.

**SPECIAL REPORT – GENERAL MANAGER**

**15. Finance and Governance Committee - Terms of Reference**  
**File Ref: F18/9398**

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- That:
1. The Council approve the Terms of Reference for the new Finance and Governance Committee as at Attachment A to item 15 on the Open Council agenda of 5 February 2018 and amended Terms of Reference for the Community, Culture and Events and Economic Development and Communications Committees as Attachments B

and C to item 15 on the Open Council agenda of 5 February 2018

2. The Council approve the revised Council and Committee Meeting Schedule – 2018 as at Attachment D to item 15 on the Open Council agenda of 5 February 2018.

RUZICKA  
THOMAS

That the recommendation be adopted

MOTION CARRIED

VOTING RECORD

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

## **16. 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                       |

RUZICKA  
BRISCOE

That the items be noted.

AYES	NOES
Acting Lord Mayor Christie	
Zucco	
Briscoe	
Ruzicka	
Sexton	

Cocker  
Thomas  
Reynolds  
Denison  
Harvey

**SUPPLEMENTARY ITEMS**

**ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE**

Alderman Burnet declared an interest in item 17 and left the meeting.

**17. Goodwill Agreement - North Melbourne Football Club**

**File Ref: F18/702; 17/18**

Ref: Open [EDC 4.1](#), 5/02/2018

- That:
1. The City of Hobart enter into a 'goodwill' agreement for the 2018 and 2019 seasons with the North Melbourne Football Club, as detailed in Attachment A to Item 4.1 of the Special Economic Development and Communications Committee Meeting of 5 February 2018, with an outcome report to be provided at the conclusion of the first year.
  2. The 'goodwill' agreement between the Council and the North Melbourne Football Club be formalised through an exchange of letters.
  3. The General Manager be delegated the authority to negotiate the terms of the agreement.
  4. The detail of this relationship be included in the relevant City of Hobart Annual Report in accordance with the Council's policy in respect to grants and benefits disclosure.

COCKER  
SEXTON

That the recommendation be adopted

AMENDMENT

THOMAS  
ZUCCO

That tickets provided to the Council as part of the agreement be made available to residents within the City of Hobart.

AMENDMENT LOST

VOTING RECORD

AYES

Zucco  
Sexton  
Thomas

NOES

Acting Lord Mayor Christie  
Briscoe  
Ruzicka  
Cocker  
Reynolds  
Denison  
Harvey

MOTION CARRIED

VOTING RECORD

AYES

Acting Lord Mayor Christie  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey

NOES

Ruzicka  
Cocker  
Reynolds

**COUNCIL RESOLUTION:**

- That:
1. The City of Hobart enter into a 'goodwill' agreement for the 2018 and 2019 seasons with the North Melbourne Football Club, as detailed in Attachment A to Item 4.1 of the Special Economic Development and Communications Committee Meeting of 5 February 2018, with an outcome report to be provided at the conclusion of the first year.
  2. The 'goodwill' agreement between the Council and the North Melbourne Football Club be formalised through an exchange of letters.
  3. The General Manager be delegated the authority to negotiate the terms of the agreement.
  4. The detail of this relationship be included in the relevant City of Hobart Annual Report in accordance with the Council's policy in respect to grants and benefits disclosure.

The Chairman adjourned the meeting at 6:56 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6:59 pm.

Item 16 was then taken.

There being no further business the meeting closed at 7:00pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
19<sup>TH</sup> DAY OF FEBRUARY 2018.

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**CHAIRMAN**