



# CITY OF HOBART

## MINUTES

OPEN PORTION  
MONDAY, 4 MARCH 2019  
AT 5:00 PM  
COUNCIL CHAMBER, TOWN HALL

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## ORDER OF BUSINESS

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**PRESENT:**

The Lord Mayor Councillor A M Reynolds, The Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, Dr P T Sexton, D C Thomas, T M Denison, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, H Ewin and Z Sherlock.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Alderman Thomas left the meeting at 5.28pm and returned at 5.29pm

Alderman Behrakis left the meeting at 6.23pm and returned at 6.25pm.

Councillor Dutta left the meeting at 6.26pm and returned at 6.30pm.

Alderman Zucco left the meeting at 6.30pm and returned at 6.32pm.

**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, 18 February 2019](#), the minutes of the meeting of the Open Portion of the Special Meetings of All Council Committees held on [Monday, 4 February 2019](#), and [Wednesday, 13 February 2019](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET

SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

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 Signed Hobart City Deal**

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The Lord Mayor presented to the Chamber the original signed copy of the Hobart City Deal which was signed at a formal signing on Sunday 24 February 2019.

The Mayors of Clarence, Glenorchy and Kingborough Councils were also in attendance and are signatories to the Deal, together with the Prime Minister, the Federal Minister for Cities, Urban Infrastructure and Population, the Premier of Tasmania and the Treasurer.

The original signed copy will be displayed in the Town Hall.

### **3.2 Plaque - Kennerley Children's Home**

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The Lord Mayor presented the Chamber with a plaque that was presented to the Deputy Lord Mayor on Saturday 23 February 2019, when she represented the Council at the Kennerley Children's Homes Children's Festival at PW1, celebrating 150 years of service to the community.

The founder of Kennerley Children's Home was the former Lord Mayor of Hobart the Honourable Alfred Kennerley.

The plaque was presented in recognition of the Council's support of the event.

## **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 Council workshops have been conducted since the last ordinary meeting of the Council.

Date: 26 February 2018

Purpose: Elected Member Induction Session – Briefing by Local Government Division and Integrity Commission

## **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**

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

Elected Members 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.

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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.

##### 9.1 106 Salamanca Place, Battery Point - Partial Demolition, Alterations and Multiple Dwelling - PLN-17-1041 File Ref: F19/19021

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Ref: Open [CPC 7.1.1](#), 25/02/2019

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for partial demolition, alterations and multiple dwelling at 106 Salamanca Place, Battery Point as the proposal does not adversely affect the heritage values or the cultural significance of the listed place, its setting or the wider group of cottages in which it stands 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-17-1041 - 106 SALAMANCA PLACE, BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

##### THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5505 dated 20 August 2018 as attached to the permit.

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 commencement of use.

Reason for condition

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

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of 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.

HER 17

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

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved by the City of Hobart's Director City Growth showing exterior colours in accordance with the above requirement.

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

*Advice: While a recessive external cladding colour is supported, it is recommended that that colour be a shade of grey rather than black.*

Reason for condition

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

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit 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 PLANNING

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 portal.

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.

#### STRATA AMENDMENT

You will be required to amend the strata plan pursuant to the provisions of section 19A of the *Strata Titles Act 1998* in order to reflect the completed development works. Click [here](#) for more information.

The proposed development may require the approval of the Strata Body Corporate in accordance with section 6. Appearance of Lots of the Strata Change of By-Laws that apply to Strata Corporation No. 59694.

#### 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.

BURNET  
EWIN

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

AYES

Denison  
Behrakis  
Ewin

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Dutta  
Sherlock

HARVEY  
DUTTA

That the application be refused in accordance with the Officer recommendation contained in item 7.1.1 of the Open City Planning Committee agenda of 25 February 2019, as amended by the officer recommendation marked as Attachment A to item 7.1.1 of the Open City Planning Committee minutes attachment of 25 February 2019.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Dutta  
Sherlock

NOES

Denison  
Behrakis  
Ewin

**COUNCIL RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for partial demolition, alterations and multiple dwelling at 106 Salamanca Place, Battery Point for the following reasons:

1. The proposed development would fail to complement and contribute to the cultural significance, character and appearance of this place of cultural significance or its setting contrary to 22.4.5 of the *Sullivans Cove Planning Scheme 1997*.
2. The proposed development, by virtue of its location, bulk, height and form would be individually prominent to this place of cultural significance and its setting contrary to 22.4.5 of the *Sullivans Cove Planning Scheme 1997*.
3. The proposed development, by virtue of its location, bulk and appearance would adversely affect the heritage values of this place of cultural significance, its setting and those of the cottages which make up the wider row, contrary to 22.4.5 of the *Sullivans Cove Planning Scheme 1997*.

**9.2 29 Lochner Street West Hobart and Adjoining Right Of Way - Partial Demolition, Alterations and Extension  
PLN-18-834 - File Ref: F19/18910**

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Ref: Open [CPC 7.2.1](#), 25/02/2019  
Application Expiry Date: 29 March 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension at 29 Lochner Street WEST HOBART and adjoining right of way for the reasons outlined in the officer's report attached to item 7.2.1 of the Open City Planning Committee agenda of 25 February 2019 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-18-834 - 29 LOCHNER STREET WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

The turning area must achieve a minimum dimension as shown on plan A03.

Reason for condition

To ensure that the development meets the minimum requirement under the Parking and Access Code of the *Hobart Interim Planning Scheme 2015*.

ENG sw1

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 or commencement of use (whichever occurs first).

Reason for condition

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

ENG sw4

If a new stormwater connection is required for draining stormwater from the right of way, this connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

If a new stormwater connection is required for draining stormwater from the right of way, detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

1. The location of the proposed connection; and
2. The size of the connection appropriate to satisfy the needs of the development.

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

*Advice:*

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning*

*condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*

- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG 4

The access driveway within the property boundary, the vehicle turning area within the right of way, and parking spaces 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 the commencement of use.

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 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of 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.

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.

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles (e.g. residential zones). Click [here](#) for more information.

#### RIGHT OF WAY

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

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

#### WORK PLACE HEALTH AND SAFETY

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

#### 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.

BURNET  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

#### NOES

### 9.3 58-60 Hall Street, Ridgeway - Dwelling PLN-18-779 - File Ref: F19/19752

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Ref: Open [CPC 7.2.3](#), 25/02/2019  
Application Expiry Date: 10 March 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for dwelling at 58-60 HALL STREET RIDGEWAY TAS 7054 for the reasons outlined in the officer's report attached to item 7.2.3 of the Open City Planning Committee agenda of 25 February 2019 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-18-779 - 58-60 HALL STREET RIDGEWAY TAS 7054 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

#### ENG sw1

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 water course via the private easement over 60 Hall Street prior to first occupation or commencement of use (whichever occurs first).

#### Reason for condition

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

#### 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 prior to first occupation.

#### Reason for condition

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

#### ENG 11

Prior to the first occupation, the proposed crossover to the Hall Street highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Rural – TSD-R04-v1 – Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access.
2. Or a Council City Infrastructure Division approved alternate design.

#### Advice:

- *Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the [LGAT Website](#).*
- *Please note that the first six (6) metres of the access will be required to be sealed in accordance with TSD-R03-v1*
- *You will require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click [here](#) for more information.*

#### Reason for condition

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

#### ENG 1

Any damage to Council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of 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.

PLN 17

The palette of exterior colours and materials must be coloured using colours with a light reflectance value not greater than 40 percent.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing exterior colours and materials in accordance with the above requirement to the satisfaction of the City of Hobart's Director City Growth.

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

#### Reason for condition

To ensure that the location and appearance of buildings and works minimises adverse impact on the landscape.

#### 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 PLANNING

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

An application and approval for a Plumbing Permit is required prior to the commencement of building works of the proposed dwelling. This application must be accompanied with the site & soil evaluation report titled Geo-Environmental Assessment 58 Hall Street Ridgeway November 2017.

A Plumbing Permit application form and further information regarding Plumbing Permits can be located on Council's [website](#).

#### OCCUPATION OF THE PUBLIC HIGHWAY

As you are constructing a new driveway access on the Highway Reservation, you will 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](#).

#### 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.

BURNET  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

The Chairman read to the Chamber a letter from the Minister for Human Services, Housing and Planning, Honourable Roger Jaensch MP, in respect to item 10 of the agenda.

The letter was tabled for the minutes.

**10. Central Hobart Building Height Standards Review Project - Environmental, Economic and Social Impact Assessment - Project Brief**  
**File Ref: F19/17273; 17/167**

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Ref: Open [CPC 8.1](#), 25/02/2019

- That:
1. The Council not proceed with the project brief for an assessment of the potential environmental, social and economic impacts of applying various building height standards in central Hobart, provided in Attachment A to item 8.1 of the Open City Planning Committee agenda of 25 February 2019.
  2. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate the amendments provided in Attachment B to item 8.2 of the Open City Planning Committee agenda of 10 December 2018 to the *Hobart Interim Planning Scheme 2015* and the *Sullivans Cove Planning Scheme 1997*.
  3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the PSA-18-4 Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instruments of Certification (Attachment I to item 8.2 of the Open City Planning Committee agenda of 10 December 2018).
  4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the PSA-18-4

Amendment to the *Hobart Interim Planning Scheme 2015* and the PSA-18-1 Amendment to the *Sullivans Cove Planning Scheme 1997* on public exhibition for a 28 day period following certification.

BURNET  
SHERLOCK

That the recommendation be adopted.

### **PROCEDURAL MOTION**

ZUCCO  
THOMAS

That based on the correspondence tabled at the meeting by State Government Minister Jaensch, the item be deferred to enable urgent discussions between the Government, Lord Mayor and General Manager, and a report on the outcomes be provided prior to the next Council meeting to be held on 18 March 2018.

MOTION CARRIED

### **VOTING RECORD**

#### AYES

Zucco  
Sexton  
Thomas  
Denison  
Behrakis  
Dutta  
Ewin  
Sherlock

#### NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Harvey

### **COUNCIL RESOLUTION:**

That based on the correspondence tabled at the meeting by State Government Minister Jaensch, the item be deferred to enable urgent discussions between the Government, Lord Mayor and General Manager, and a report on the outcomes be provided prior to the next Council meeting to be held on 18 March 2018.

### **Attachments**

A Correspondence from the Hon Roger Jaensch MP ⇨ 

**11. Review of Planning Directive No. 1 (Bushfire-Prone Areas Code) and the Building Regulations 2016 for Bushfire-Prone Areas**  
**File Ref: F19/17550; 15/97**

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Ref: Open [CPC 8.2](#), 25/02/2019

- That:
1. Council officers continue to monitor compliance with the bushfire-prone area regulations of the *Building Regulations 2016* and the vegetation clearing requirements of the *Hobart Interim Planning Scheme 2015*;
  2. Regular audits of building application compliance continue, but with a focus on developments that were not subject to the planning approvals process;
  3. Detected instances of significant errors or non-compliance be referred to the Tasmania Fire Service (including those detected as part of the latest audit); and
  4. The Tasmania Fire Service be provided with a copy of the report marked as item 8.2 of the Open City Planning Committee agenda of 25 February 2019 for their information.

BURNET  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock



**12. Single-Use Plastics By-law and Regulatory Impact Statement**  
**File Ref: F18/128301; 16/243-001**

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Ref: Open [CIC 6.1](#), 20/02/2019

- That:
1. The Council defer consideration associated with the potential establishment of a single use plastics by-law for a 12 month period.
  2. The Council actively lobby the state government and encourage the development of statewide legislation to ban single use plastics in Tasmania in line with the motion passed by the Local Government Association of Tasmania at its General Meeting on 25 July 2018.
  3. The City continue to work closely with the relevant business community to support and encourage the voluntary reduction of the use of single use plastics.

DENISON  
EWIN

That the recommendation be adopted.

**AMENDMENT**

SEXTON  
ZUCCO

That City of Hobart Officers contact the City of Portland, Oregon regarding the implementation and success of its Ordinance regarding the consumer driven reduction in usage of single-use plastics.

AMENDMENT LOST

VOTING RECORD

AYES	NOES
Zucco	Lord Mayor Reynolds
Briscoe	Deputy Lord Mayor Burnet
Sexton	Thomas
Denison	Harvey
Behrakis	Dutta
	Ewin
	Sherlock

MOTION LOST

VOTING RECORD

AYES NOES

Zucco  
Briscoe  
Sexton  
Denison  
Behrakis

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Thomas  
Harvey  
Dutta  
Ewin  
Sherlock

HARVEY  
BURNET

That the Officer recommendation contained in item 6.1 of the Open City Infrastructure Committee agenda of 20 February 2019, be adopted with the inclusion of a clause 4 which reads 'following the commencement of the by-law, penalties not be enforced until December 2020'.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Thomas  
Harvey  
Dutta  
Ewin  
Sherlock

NOES

Zucco  
Sexton  
Denison  
Behrakis

**COUNCIL RESOLUTION:**

That:

1. The Council resolve (by absolute majority) of its intention to make the Single-use Plastics By-law.
2. The Council delegate authority to the General Manager to present the Single-use Plastics By-law and Regulatory Impact Statement to the Director of Local Government for a certificate of approval, pursuant to section 156A of the Local Government Act 1993.
3. Subject to a certificate of approval from the Director of Local Government, the Council delegate authority to the General Manager to give notice of the proposed by-law in order to advertise a formal public consultation process, whereby the by-law and associated regulatory impact statement are made available to the public for inspection and comment.

4. Following the commencement of the by-law, penalties not be enforced until December 2020.

**13. Hobart Bicycle Advisory Committee - Meeting Notes - Election of Chairman and Terms of Reference Review**  
**File Ref: F18/145958; 37-1-4**

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Ref: Open [CIC 6.2](#), 20/02/2019

- That:
1. The draft notes of the Hobart Bicycle Advisory Committee meeting of 17 October 2018 marked as Attachment A to item 6.2 of the Open City Infrastructure Committee of 20 February 2019 be received and noted.
  2. The Council elect a Chairman for the Hobart Bicycle Advisory Committee from the nominated members of the Committee being:
    - (i) The Lord Mayor, Councillor Reynolds;
    - (ii) The Deputy Lord Mayor, Councillor Burnet;
    - (iii) Councillor Harvey; and
    - (iv) Councillor Ewin.
  3. The Bicycle Advisory Committee be invited to give feedback on the potential referencing of pedestrians within the Terms of Reference of the Committee.

DENISON  
SHERLOCK

That the recommendation be adopted.

The Chairman called for nominations for Chairman of the Hobart Bicycle Advisory Committee in accordance with clause 2 of the recommendation.

Alderman Thomas nominated Councillor Ewin as Chairman

There being no other nominations, the Chairman declared Councillor Ewin elected as Chairman of the Hobart Bicycle Advisory Committee.

**AMENDMENT**

BURNET  
BRISCOE

That the words 'and public transport users' be included after the word 'pedestrians' in clause 3.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

**COUNCIL RESOLUTION:**

That: 1. The draft notes of the Hobart Bicycle Advisory Committee meeting of 17 October 2018 marked as Attachment A to item 6.2 of the Open City Infrastructure Committee of 20 February 2019 be received and noted.

2. Councillor Ewin be appointed as Chairman of the Hobart Bicycle Advisory Committee.
3. The Bicycle Advisory Committee be invited to give feedback on the potential referencing of pedestrians and public transport users within the Terms of Reference of the Committee.

**PARKS AND RECREATION COMMITTEE**

**14. Fern Tree Park Master Plan Implementation - Response to Petition - Retention of Bus Shelter and Sympathetic Redesign of New Toilet  
File Ref: F19/18966**

Ref: Special Open [PRC 4.1](#), 4/03/2019

- That:
1. The implementation of the Fern Tree Park Master Plan proceed as planned with the General Manager to be delegated authority to negotiate any minor contractual amendments that might be required.
  2. Subject to Clause 1:
    - a. Investigations be undertaken to have stone applied as the exterior cladding of the new toilet facilities.
    - b. An interpretation panel be designed and installed on the exterior of the new toilet which recognises the history of the Fern Tree Park and the construction of the bus shelter by the local community following the 1967 bushfires.
    - c. The Fern Tree community be consulted in relation to the proposed exterior cladding and the interpretation panels.
  3. The petitioner and signatories to the petition and Fern Tree residents be notified of the Council's decision.

BRISCOE  
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES  
Lord Mayor Reynolds  
Deputy Lord Mayor Burnet

NOES

Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

**15. Cable Car Proposal - Authorities to Enter**  
**File Ref: F19/22569**

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Ref: Special Open [PRC 4.2](#), 4/03/2019

- That:
1. The Council note and endorse the Officer comments to the Department of State Growth made in relation to the Draft Authority to Enter (Access Zone), as received by the Lord Mayor on 1 February 2019, and marked as Attachment G to item 4.2 of the Special Open Parks and Recreation Committee agenda of 4 March 2019.
  2. The Council write to the Minister, expressing its disappointment that the majority of the issues raised were not addressed in the conditions of the final Authority to Enter (Access Zone).
  3. As owner and manager of land within Wellington Park, the Council express its disapproval at the process and the extent of the activities proposed under the Draft Authority to Enter (Wellington Park).
  4. The Council requests that its representatives on the Wellington Park Management Trust raise the following matters as part of discussions:
    - (i) Request that Council be provided a copy of the Safety Plan and reports of drilling (status and results);
    - (ii) More information in the permit about the need for assessment of environmental impact and landscape values before approving the works (sec 16), and the importance of the observers (sec 24);
    - (iii) Details of the proposed timing of all works;
    - (iv) The Council has the ability to nominate the observer or observers where council land is involved under the permit; and
    - (v) The Council write to the Minister to inform that the Council has directed its representatives to raise these issues with the Wellington Park Management Trust.

BRISCOE  
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Denison
Briscoe	Behrakis
Sexton	
Thomas	
Harvey	
Dutta	
Ewin	
Sherlock	

**SPECIAL REPORT - LORD MAYOR**

**16. Elected Member Professional Development Plan - Councillor Dutta**  
**File Ref: F19/22454**

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That the Professional Development Plan for Councillor Dutta, as attached to item 16 of the Open Council Agenda of 4 March 2019, be received and noted.

BURNET  
SEXTON

That the Lord Mayor's recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

**17. Elected Member Professional Development Plan - Councillor Sherlock**  
**File Ref: F19/22458**

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That the Professional Development Plan for Councillor Sherlock, as attached to item 17 of the Open Council Agenda of 4 March 2019, be received and noted.

BURNET  
SEXTON

That the Lord Mayor's recommendation be adopted.

MOTION CARRIED



VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Denison  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock

**18. CLOSED PORTION OF THE MEETING**

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That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Leave of absence
- Legal action involving the Council

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	58 Goulburn Street - Change of Use to Residential (Communal Residence) - PLN-18-565 - Appeal LG(MP)R 15(4)(a)

SEXTON  
BURNET

That the recommendation be adopted.

MOTION CARRIED BY  
ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Denison	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

There being no further business the meeting closed at 6.43pm.

TAKEN AS READ AND SIGNED AS A  
CORRECT RECORD THIS  
18<sup>TH</sup> DAY OF MARCH 2019.

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**CHAIRMAN**