



# CITY OF HOBART

## MINUTES

OPEN PORTION  
MONDAY, 6 MAY 2019  
AT 5:19 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.

The Deputy Lord Mayor left the meeting at 7.00pm after declaring an interest in Supplementary item 22, returning at 7.01 pm.

Alderman Behrakis left the meeting at 6.26 pm returning at 6.28 pm.

Councillor Dutta arrived at the meeting at 5.22 pm and was not present for items 1 to 2.

**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, 15 April 2019](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET  
EWIN

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	
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 Gift for Presentation to Council**

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The Lord Mayor presented the following gift to the Council:

Plate and Timor Café Coffee

On Friday 26 April 2019, the Deputy Lord Mayor Councillor Helen Burnet met with a group of Timorese Veterans, together with Dr Nitán Verma, the Honorary Consul for Timor Leste and his assistant Mr Eoin (Owen) Breen. The group gifted this traditional Timor Leste plate and Café Timor coffee was presented to the City of Hobart.

### **3.2 Sarah Cornish**

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The Lord Mayor expressed on behalf of the Council its best wishes for a speedy recovery for Council employee Sarah Cornish, Senior Advisor Council Support who was involved in an accident on Friday 3 May 2019.

### **3.3 Road Safety Week**

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The Lord Mayor advised that today is the start of Road Safety Week.

A need is required for greater awareness of our more vulnerable road users. The most recent statistics shows that in 2018 both road fatalities in the Hobart area were pedestrians.

I hope that we can use this Road Safety week to think about those who tragically lost their lives, and what we can do to prevent further deaths and injuries.


### **3.4 Correspondence - Dr Diane Caney**

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The General Manager advised he had received a purported petition in relation to Dark Mofo from Dr Diane Caney.

The document purports to be a petition containing 11,240 signatures, however due to the timing of this matter being included on tonight's agenda the petitioner has been unable to comply with all the requirements of the *Local Government Act 1993* regarding petitions and have requested that it be treated as correspondence.

#### **Attachment**

A Dr Diane Caney - 2019 Dark Mofo ⇒ 

## **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: 30 April 2019  
Purpose: Strategic Plan

## **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**

BURNET  
BEHRAKIS

That the Council resolve to deal with supplementary items 21 and 22 as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

MOTION CARRIED

BY AN ABSOLUTE MAJORITY

### VOTING RECORD

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

## **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.

The following interest was indicated:

1. Deputy Lord Mayor Councillor Burnet – Supplementary item 22.

## **REPORTS OF COMMITTEES**

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### **CITY PLANNING COMMITTEE**

## **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 23 Quayle Street, Sandy Bay and 1 A Crelin Street, Battery Point - Partial Demolition, Multiple Dwellings (One Existing, Four New) and Front Fencing PLN-18-789 - File Ref: F19/43973**

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Ref: Open [CPC 7.1.2](#), 29/04/2019  
Application Expiry Date: 29 May 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, multiple dwellings (one existing, four new) and front fencing at 23 Quayle Street Sandy Bay and 1A Crelin Street Battery Point for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 29 April 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-18-789 - 23 QUAYLE STREET SANDY BAY & 1A CRELIN STREET BATTERY POINT TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Amended Submission to Planning Authority Notice, Reference No. TWDA 2018/01810-HCC dated 19 March 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The roof colour must be of a mid to darker tone so as not cause a glare problem to neighbours. Prior to the commencement of work, details of the proposed roof colour in accordance with this condition must be lodged with the Council.

Reason for condition

To protect the amenity of neighbouring properties.

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 sw2.1

A pre CCTV video of the Council stormwater main within the subject site must be undertaken and submitted to Council prior to the commencement of work.

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

Reason for condition

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

ENG sw2.2

A post CCTV video of the Council stormwater main within the subject site must be undertaken and submitted to the Council on completion of all work.

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

Reason for condition

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

ENG sw4

The development must be drained to Council infrastructure taking into account the limited receiving capacity of Council's infrastructure. Any new stormwater connection(s) required must be constructed, and existing redundant connections must be sealed, by the Council at the owner's expense prior to issue of a Certificate of Completion or first occupation, whichever comes first.

Detailed design drawings showing both existing and proposed services and calculations must be submitted and approved, prior to issue of any consent under the *Building Act 2016*.

The detailed design drawings must include:

1. The location of the proposed connections and all existing connections;
2. The size and design of the connection(s) such that they are appropriate to safely service the development given the limited receiving capacity of Council infrastructure;
3. Long-sections of the proposed connection(s) clearly showing any nearby services, cover, size, material and delineation of public and private infrastructure;
4. Clearly distinguish between public and private infrastructure; and
5. Be checked and certified by a qualified and experienced engineer.

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

*Advice:*

- *Once the detailed design drawings have been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to initiate an application for service connection.*

- *Any proposed public stormwater infrastructure will require detailed engineering drawings, which must be checked and certified by a qualified and experienced Civil Engineer.*
- *Consideration must be given to the location of stormwater connections: these should be positioned at the most practicable location to adequately and economically drain the majority of the lot including the driveway.*

Reason for condition

To ensure the site is drained adequately.

ENG sw6

The new stormwater infrastructure must be constructed prior to issue of a completion certificate or first occupation, whichever comes first.

Engineering design drawings must be submitted and approved, prior to issue of any consent under the *Building Act 2016*.

The engineering drawings must:

1. Be certified by a qualified and experienced engineer;
2. Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows, velocities, hydraulic grade lines, clearances, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements and inspection openings;
3. Include the associated calculations and catchment area plans. The stormwater system (including defined overland flow paths) must cater for all 1% AEP flows as at 2100 (i.e including climate change loading) from a fully developed catchment. The main itself must be sized to accommodate at least the 5% AEP flows from a fully-developed catchment;
4. Clearly distinguish between public and private infrastructure;
5. Be substantially in accordance with the LGAT drawings; and

6. Provide a construction management plan clearly defining the process of the removal, reinstatement and protection of the new main, this should include but not be limited to: construction methodology, risk assessment, mitigation measures and proposal of how the construction company intends to keep existing services live during construction.

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

*Advice:*

- *Once the engineered drawings has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to obtain a Permit to Construct Public Infrastructure.*

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

ENG sw7

Stormwater pre- treatment and detention for stormwater discharges from the development must be installed prior to issue of a Certificate of Completion.

A stormwater management report and design must be submitted and approved, prior to issue of any consent under the *Building Act 2016*. The stormwater management report and design must:

1. Be prepared by a suitably qualified engineer;
2. Include detailed design of the proposed treatment train, including final estimations of contaminant removal;
3. Include detailed design and supporting calculations of the detention tank, sized such that there is no increase in flows from the developed site up to 5% AEP storm events. All assumptions must be clearly stated;

4. Include design drawings of the detention tank showing the layout, the inlet and outlet (including long section), the overflow mechanism;
5. Provide clarification of the emptying times and outlet size; and
6. Include a Stormwater Management Summary Plan that outlines the obligations for future property owners to stormwater management, including a maintenance plan which outlines the operational and maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

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

*Advice:*

- *Once the stormwater management report and design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*
- *Contaminant removal targets should align with the State Stormwater Strategy Guidelines.*

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, to comply with relevant State legislation, and to ensure the development's stormwater system takes into account limited receiving capacity of Council's infrastructure.

ENG 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

*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.*

Reason for condition

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

ENG 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Gandy and Roberts Consulting Engineers design drawings received by the Council on the 6th March 2019.

Prior to the first occupation, 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 Council.

*Advice:*

- *Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

#### 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 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 for use is six (6).

#### *Advice:*

- *Please note that the residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on- street.*

#### *Reason for condition*

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

#### ENG 8

The use of car parking space 2 as shown on the design drawings received by the Council on the 8th February 2019 is restricted to Visitor Parking Only.

A sign, approved by council, and in accordance with Australian Standards AS/NZS1742.11:2016, must be erected within the car parking module to indicate the car parking space is for Visitor Parking Only prior to first occupation.



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.

ENG 13

Any fencing and enclosures within 3 metres of the frontage must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Amended drawings must be submitted and approved, prior to the commencement of work. The amended drawings must show fences and enclosures within 3 metres of the frontage less than or equal to 1.2m in height in order to provide adequate sight distance between user vehicles, cyclists and pedestrians.

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

*Advice:*

- *The applicant may submit amended drawings to satisfy this condition as either part of a Building Application, or alternatively via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]).*
- *Failure to address condition requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

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.

#### HER 17

The colouration of exterior materials must be recessive, and cladding must reflect the palette of materials within the local streetscape and precinct with particular emphasis on the use of timber cladding in visual locations.

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.

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

#### Reason for condition

To ensure that development at a heritage place and 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 ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's [Online Service Development Portal](#). When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the [Online Service Development Portal](#), if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, please call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

## 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 for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

## GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

## BUILDING OVER AN EASEMENT

In order to build over an existing drain or within one metre from the edge of an existing drain, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 73 and 74 of the *Building Act 2016*.

Section 73 of the *Building Act 2016* requires that a person must not perform any building work over an existing drain or within one metre from the edge of an existing drain measured horizontally, unless the owner of the building obtains written consent from the general manager of the council for the municipal area where the work is performed.

Section 74 of the *Building Act 2016* requires that a person must not perform any building work over or within a service easement unless the person obtains written consent to do so from the person on whose behalf the service easement was created.

## RESIDENTIAL PARKING PERMITS

Residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on-street.

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

## 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.

## 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.

## RESIDENTIAL PARKING PERMITS

The residents of this development will not be eligible for residential parking permits to allow for additional resident vehicles to be parked on-street.

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	

**9.2 Runnymede Street, Battery Point and Road Reserve - Tree Removal and Replacement**  
**PLN-19-122 - File Ref: F19/42376**

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Ref: Open [CPC 7.1.3](#), 29/04/2019  
Application Expiry Date: 30 May 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for tree removal and replacement at Runnymede Street, BATTERY POINT & road reserve for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 29 April 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-19-122 - RUNNYMEDE STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

OPS s1

Within 90 days of the dead tree being removed, another tree of the same species must be planted in the same area, to the satisfaction of the Director City Amenity.

Reason for condition

To maintain the amenity of Arthur Circus Park.

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.

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

BURNET  
HARVEY

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

**9.3 Elizabeth Street, Hobart and Road Reserve - Partial Demolition, Alterations, New Bus Shelters, Street Trees, Lighting, Street Furniture and Associated Works  
PLN-18-882 - File Ref: F19/44573**

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Ref: Open [CPC 7.1.5](#), 29/04/2019  
Application Expiry Date: 29 May 2019  
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, new bus shelters, street trees, lighting, street furniture and associated works at Elizabeth Street and Road Reserve (also known as Elizabeth Street Bus Mall) for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 29 April 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 DA-19-12574 PLN-18-882 - ELIZABETH STREET ROAD RESERVE (BUS MALL) HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/02014-HCC dated 14/12/2018 as attached to the permit.

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 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 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.

HER 6

All onsite excavation and disturbance below 0.8m in depth must be monitored by a qualified archaeologist. Should any features or deposits of an archaeological nature be discovered on the site during any excavation or disturbance:

1. All excavation and/or disturbance must stop immediately;
2. A qualified archaeologist if not already on site must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance;
3. All and any recommendations made by the archaeologist engaged in accordance with (2) above must be complied with in full;
4. All features and/or deposits discovered must be reported to the Council with 3 days of the discovery; and
5. A copy of the archaeologists advice, assessment and recommendations obtained in accordance with paragraph (2) above must be provided to Council within 2 days of receipt of the advice, assessment and recommendations.

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

#### Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

#### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

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

#### BUILDING PERMIT

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 for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

You may require a road closure permit for construction or special event. Click [here](#) for more information.

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

#### STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Hydraulic Services By law. Click [here](#) for more information.

#### STRUCTURES CLOSE TO COUNCIL'S STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division.

#### WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

#### CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

## 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  
THOMAS

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

**10. COP24 - Katowice Poland - 4 to 14 December 2018**

**File Ref: F19/46825**

---

Ref: Open [CPC 8.1](#), 29/04/2019

- That: 1. The information contained in the report, as amended, titled *COP24 Katowice Poland – 4 to 14 December 2018* dated 11 April 2019 and marked as Attachment A to item 8.1 of the Open City Planning Committee meeting minutes of 29 April 2019, be received and noted.
2. A media release communicating the outcomes as outlined in Councillor Harvey's report titled *COP24 Katowice Poland – 4 to 14 December 2018* dated 11 April 2019, be issued at the appropriate time.

BURNET  
THOMAS

That the recommendation be adopted.

**PROCEDURAL MOTION**

DENISION  
BRISCOE

That the matter be referred back to Committee for further consideration.

PROCEDURAL MOTION CARRIED

**VOTING RECORD**

AYES

Zucco  
Briscoe  
Sexton  
Denison  
Behrakis  
Dutta  
Ewin  
Sherlock

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Thomas  
Harvey

**COUNCIL RESOLUTION:**

That the matter be referred back to Committee for further consideration.

**11. Building Height Standards Review - Affordable Housing Inclusionary Zoning - Consideration of Deferred Items**  
**File Ref: F19/49369; 17/167**

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Ref: Special Open [CPC 2.1](#), 6/05/2019

**PART A**

- That: 1. The Council reaffirm the decision of 15 April 2019, that it will work with the State Government to develop a Central Hobart Precinct Plan (which will include a socio-economic study and use).
2. The Council note that the terms of reference for the Precinct Plan will be considered by the Council in June 2019.

**PART B**

- That: 1. 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*, and indicated on the plan shown as Attachment D to item 8.2 of the Open City Planning Committee Agenda of the 10 December 2018 and attached to this agenda.
2. 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).
3. 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  
BRISCOE

That the recommendation be adopted.



**AMENDMENT**

SEXTON  
ZUCCO

That Part A be amended by the inclusion of “and environmental” after the words “socio-economic”.

AMENDMENT CARRIED

**VOTING RECORD**

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

ZUCCO  
SEXTON

That Part A and Part B of the recommendation be taken separately.

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 then put Part A of the motion.

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 then put Part B of the motion.

MOTION LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Sexton
Briscoe	Thomas
Harvey	Denison
Dutta	Behrakis
	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 Council reaffirm the decision of 15 April 2019, that it will work with the State Government to develop a Central Hobart Precinct Plan (which will include a socio-economic and environmental study and use).
2. The Council note that the terms of reference for the Precinct Plan will be considered by the Council in June 2019.

**CITY INFRASTRUCTURE COMMITTEE**

**12. Water Refill Programs**

**File Ref: F18/86721; 2016-0192**

Ref: Open [CIC 6.3](#), 17/04/2019

- That: 1. The 'Public Drinking Water Facility Upgrade' Program be implemented over a 3 year timeframe, at an estimated cost of \$30,000 per year to be funded from the Solid Waste Strategy and Project Budget Function.
- (i) The City continue to negotiate with TasWater to enter into a partnership arrangement in respect to the installation costs.
2. The Council defer consideration of joining the 'Choose Tap' public water re-fill program, at a cost of an estimated \$6,000, for the provision of a further report in relation to:
- (i) The estimation of staff costs to be incurred to promote the 'Choose Tap' public water re-fill program to businesses within the Hobart municipal area.

3. Initiatives to reduce the use of single use plastics within the Council's operations continue to be identified and implemented, and the Council endorse a Waste Reduction Statement of Commitment marked as Attachment C to item 6.3 of the Open City Infrastructure Committee agenda of 17 April 2019.
4. The City's playgrounds and sportsgrounds that would benefit with the installation of public drinking water facilities be identified and prioritised as part of the 'Public Drinking Water Facility Upgrade' program.
  - (i) Investigations also be undertaken to implement currently available technology that can be affixed to existing public drinking water facilities to monitor water usage.

DENISON  
EWIN

That the recommendation be adopted.

#### **AMENDMENT**

BRISCOE  
BEHRAKIS

That part 2 of the recommendation be amended by inserting the words "per annum" after "\$6000" and by inserting a new sub-clause (ii):

- "(ii) Further evidence be provided of the success or otherwise of other Council's participating in the program".

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 'Public Drinking Water Facility Upgrade' Program be implemented over a 3 year timeframe, at an estimated cost of \$30,000 per year to be funded from the Solid Waste Strategy and Project Budget Function.
- (i) The City continue to negotiate with TasWater to enter into a partnership arrangement in respect to the installation costs.
2. The Council defer consideration of joining the 'Choose Tap' public water re-fill program, at a cost of an estimated \$6,000 per annum, for the provision of a further report in relation to:
- (i) The estimation of staff costs to be incurred to promote the 'Choose Tap' public water re-fill program to businesses within the Hobart municipal area.
  - (ii) Further evidence be provided of the success or otherwise of other Council's participating in the program.
3. Initiatives to reduce the use of single use plastics within the Council's operations continue to be identified and implemented, and the Council endorse a Waste Reduction Statement of Commitment marked as Attachment C to item 6.3 of the Open City Infrastructure Committee agenda of 17 April 2019.
4. The City's playgrounds and sportsgrounds that would benefit with the installation of public drinking water facilities be identified and prioritised as part of the 'Public Drinking Water Facility Upgrade' program.
- (i) Investigations also be undertaken to implement currently available technology that can be affixed to existing public drinking water facilities to monitor water usage.

**13. Food Organics Green Organics Collection Service - Update and Invitation from Glenorchy City Council - Working Group**  
**File Ref: F19/42284**

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Ref: Open [CIC 6.4](#), 17/04/2019

- That:
1. The information contained in the memorandum in respect to the City's progress into the introduction of a Food Organics Garden Organics Collection Service, marked as item 6.4 of the Open City Infrastructure Committee agenda of 17 April 2019 be received and noted.
  2. The Lord Mayor and the General Manager accept the invitation from Glenorchy City Council, as outlined in Attachment A to item 6.4 of the Open City Infrastructure Committee agenda of 17 April 2019, to form a working group to explore opportunities for the two Council's to work cooperatively on issues relating to a Food Organics Garden Organics Collection Service.

DENISON  
THOMAS

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	

**14. 99 Steps (Walkway), West Hobart - Proposed Works**

**File Ref: F19/36783; RO626/11**

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Ref: Open [CIC 6.5](#), 17/04/2019

- That:
1. Works be undertaken to improve the amenity and safety of the small set of steps at the top of 99 Steps, West Hobart including the installation of a seat and fence, along with a ramp and new steps on the opposite side of Liverpool Street at an estimated cost of \$25,000 in 2019-2020 to be funded from the City Laneways Access and Lighting Upgrades budget allocation.
  2. Stormwater works including extension of a stormwater main along Liverpool Street and installation of drainage pits be constructed in 2020-2021 as part of a road and stormwater upgrade project to address flooding issues, subject to funding approval in the 2020-2021 budget.
  3. Works to fully upgrade the 99 Steps walkway to full compliance with engineering standards and installation of bicycle channel be considered in the development of a City Laneways Strategy and Action Plan.

DENISON  
THOMAS

That the recommendation be adopted.

**AMENDMENT**

BRISCOE  
BURNET

An additional clause to read as follows:

“4. The petitioners be advised accordingly.”

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. Works be undertaken to improve the amenity and safety of the small set of steps at the top of 99 Steps, West Hobart including the installation of a seat and fence, along with a ramp and new steps on the opposite side of Liverpool Street at an estimated cost of \$25,000 in 2019-2020 to be funded from the City Laneways Access and Lighting Upgrades budget allocation.
  2. Stormwater works including extension of a stormwater main along Liverpool Street and installation of drainage pits be constructed in 2020-2021 as part of a road and stormwater upgrade project to address flooding issues, subject to funding approval in the 2020-2021 budget.
  3. Works to fully upgrade the 99 Steps walkway to full compliance with engineering standards and installation of bicycle channel be considered in the development of a City Laneways Strategy and Action Plan.
  4. The petitioners be advised accordingly.



**15. Soundys Lane, Elizabeth Street Mall - Roller Door closure times**

**File Ref: F19/36784; R0844**

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Ref: Open [CIC 6.6](#), 17/04/2019

- That: 1. The opening of Soundys Lane (at the Elizabeth Mall end) during the proposed business hours of the Karaoke Bar within the basement of 59-61 Elizabeth Street, be approved on the following conditions:
- (i) An agreement be entered into with the operators of the Karaoke Bar for them to be provided with a key to the roller door for it to remain open during trading hours, with any changes to its operating hours to be notified to the City and the Agreement amended accordingly.
  - (ii) The operators of the Karaoke Bar be required to provide security personnel in the laneway at all times the roller is open.
  - (iii) The opening hours of the laneway align with the Karaoke Bar's trading hours, subject to the approval of the General Manager, in accordance with Section 6 of the *Local Government (Highway) Act 1982*.
  - (iv) The General Manager be authorised to include any further conditions necessary.
2. The need for the installation of an additional roller door just past the door to the basement of 59-61 Elizabeth be considered following a review of an initial six months operation of the new Karaoke Bar.
3. Affected tenancies and business owners, the Late Night Precinct Stakeholder Group and affected parties be notified of the Council's decision.

DENISON  
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

**16. Stormwater Progress Report Post 2018 Flood Events**  
**File Ref: F19/37882; 18/182**

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Ref: Open [CIC 6.7](#), 17/04/2019

- That:
1. A further report be provided on the progress of stormwater repair projects by December 2019.
  2. A further report be provided on longer term flood mitigation works for the City's stormwater systems following further investigation and design.
  3. In respect to the petition received by the Council at its meeting of 18 June 2018, in relation to the Lipscombe Rivulet and the reduction of the future flooding risk in the Lauramont Avenue area, the petitioners be advised of the Council decision.

DENISON  
EWIN

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

**SPECIAL REPORTS – GENERAL MANAGER**

**17. International Cities, Town Centres and Communities Conference - Call for Speakers**  
**File Ref: F19/44352**

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- That:
1. The Council determine whether it wishes to nominate an Elected Member, supported by an appropriate Council officer, to present at the International Cities, Town Centres and Communities Conference to be held on 23 – 25 October 2019 in Townsville.
  2. If the Council determines it wishes to nominate an Elected Member to present at the International Cities, Town Centres and Communities Conference, Connected Hobart, be the subject of the presentation.

BURNET  
BRISCOE

That the recommendation be adopted.

**AMENDMENT**

SEXTON  
DUTTA

That Aldermen Zucco and Briscoe attend the International Cities, Town Centres and Communities Conference to be held on 23 – 25 October 2019 in Townsville, subject to availability.

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. Aldermen Zucco and Briscoe, supported by an appropriate Council officer, attend to present at the International Cities, Town Centres and Communities Conference to be held on 23 – 25 October 2019 in Townsville, subject to availability.
2. Connected Hobart, be the subject of the presentation.

**18. Public Meeting in Response to Building Height Petition**  
**File Ref: F19/48477; 16/119-006**

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BURNET  
SHERLOCK

That the information contained in the General Managers report and the resolutions contained in the minutes of the meeting be referred to the City Planning Committee.

MOTION CARRIED

VOTING RECORD

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

**Attachment**

- A. Minutes - Public Meeting - Petition Submitted to CoH by Hobart Not Highrise Inc - 16 April 2019 - With Submissions Summary ⇒ 

**19. Public Meeting in Response to Cable Car Petition**  
**File Ref: F19/48498; 16/119-005**

---

BURNET  
BRISCOE

That the information contained in the General Managers report be received and noted and the resolutions contained in the minutes of the meeting be referred to the appropriate Committee.

MOTION CARRIED

VOTING RECORD

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

**Attachment**

- A. Minutes - Public Meeting - Petition Submitted to CoH by Residents  
Opposed to the Cable Car - 16 April 2019 - With Submissions Summary ⇨



BURNET  
BRISCOE

That Supplementary Item 21 be now taken.

MOTION CARRIED

VOTING RECORD

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

Supplementary item 21 was then taken.

## **20. 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
- Commercial information of a confidential nature

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	Sponsorship Dark Mofo 2019 LG(MP)R 15(2)(b) and (c)(ii)

BEHRAKIS  
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	

**SUPPLEMENTARY ITEMS**

**COMMUNITY, CULTURE AND EVENTS COMMITTEE**

**21. Sponsorship Dark Mofo 2019**

**File Ref: F19/38321**

Ref: Special Closed [CCEC 2.1](#), 1/05/2019

- That:
1. The Council resolve to partially fund the 2019 Dark Mofo request through the following:
    - (i) Council to provide \$150,000 cash from the 2018/19 budget for the purposes of the 2019 Winter Feast.
    - (ii) The Council approve the in-kind funding request with the exception of the lost income from the closure of the parking bays for Winter Feast, meaning the total in-kind support would be \$184,727.
    - (iii) Council decline the opportunity to sponsor the art installation outside the Town Hall.
  2. The Council approves the proposed use of its facilities/grounds for the art installations, to include the Regatta Grounds, Queens Domain and surrounding areas as indicated by Dark Mofo during the 2019 festival period, with final locations of the installations and linkages between the installations be identified to the satisfaction of the General Manager. This approval is subject to:
    - (a) A licence associated with the use of the Queens Domain containing conditions to protect valuable vegetation communities, patron safety and other issues identified through the completion of a thorough project risk assessment be negotiated to the satisfaction of the General Manager.
    - (b) An appropriate engagement and communication strategy be developed to ensure a high level of engagement with identified stakeholders.
  3. The Council approves an installation on the Mawson Place concourse, with the General Manager delegated to finalise any licence requirements, including determination of the final location.
  4. The Council approve (but not fund) the art installation outside the Town Hall for the period of the festival, with the General Manager delegated to finalise any licence requirements, including determination of the final location, whilst ensuring accessibility to the area is maintained.
  5. That \$300,000 be included in the budget estimates for 2019/20 as an inclusive amount for cash and in-kind sponsorship for the purposes of Dark Mofo.

HARVEY  
SHERLOCK

That the recommendation be adopted.

**AMENDMENT**

SEXTON  
ZUCCO

That the recommendation be amended by the addition of the following:

1. The addition of the following clauses to part 1:
  - (iv) The Council provide an additional \$131,000 towards the cost of installations on the Queens Domain, during Dark Path.
  - (v) The timing of payments to Dark Mofo be at the discretion of the General Manager.
  - (vi) The City of Hobart be appropriately recognised for its contribution, both to the Winter Feast and Dark Path.
2. The addition of the following words to the end of clause 2 (b) *Friends of Soldiers Memorial Avenue (FOSMA) and the Glebe Residents Association*.

AMENDMENT CARRIED

**VOTING RECORD**

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

SUBSTANTIVE MOTION CARRIED



VOTING RECORD

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

**COUNCIL RESOLUTION:**

- That: 1. The Council resolve to partially fund the 2019 Dark Mofo request through the following:
- (i) Council to provide \$150,000 cash from the 2018/19 budget for the purposes of the 2019 Winter Feast.
  - (ii) The Council approve the in-kind funding request with the exception of the lost income from the closure of the parking bays for Winter Feast, meaning the total in-kind support would be \$184,727.
  - (iii) Council decline the opportunity to sponsor the art installation outside the Town Hall.
  - (iv) The Council provide an additional \$131,000 towards the cost of installations on the Queens Domain, during Dark Path.
  - (v) The timing of payments to Dark Mofo be at the discretion of the General Manager.
  - (vi) The City of Hobart be appropriately recognised for its contribution, both to the Winter Feast and Dark Path.
2. The Council approves the proposed use of its facilities/grounds for the art installations, to include the Regatta Grounds, Queens Domain and surrounding areas as indicated by Dark Mofo during the 2019 festival period, with final locations of the installations and linkages between the installations be identified to the satisfaction of the General Manager. This approval is subject to:
- (a) A licence associated with the use of the Queens Domain containing conditions to protect valuable vegetation communities, patron safety and other issues identified through the completion of a thorough project risk assessment be

negotiated to the satisfaction of the General Manager.

- (b) An appropriate engagement and communication strategy be developed to ensure a high level of engagement with identified stakeholders including Friends of Soldiers Memorial Avenue (FOSMA) and the Glebe Community Association.
- 3. The Council approves an installation on the Mawson Place concourse, with the General Manager delegated to finalise any licence requirements, including determination of the final location.
- 4. The Council approve (but not fund) the art installation outside the Town Hall for the period of the festival, with the General Manager delegated to finalise any licence requirements, including determination of the final location, whilst ensuring accessibility to the area is maintained.
- 5. That \$300,000 be included in the budget estimates for 2019/20 as an inclusive amount for cash and in-kind sponsorship for the purposes of Dark Mofo.

**SPECIAL REPORT – GENERAL MANAGER**

The Deputy Lord Mayor declared an interest in item 22, left the meeting at 7.00 pm, returning at 7:01 pm..

**22. City of Melbourne Site Visit**  
**File Ref: F19/50941**

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That: 1. That the Deputy Lord Mayor attend a site visit to City of Melbourne on Friday 10 May 2019 to obtain a briefing on the West Melbourne Structure Plan at a cost of \$383.73.

BRISCOE  
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 20 was then taken.

There being no further business the meeting closed at 7.01 pm.

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

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**CHAIRMAN**