



CITY OF HOBART

MINUTES

OPEN PORTION
MONDAY, 3 JUNE 2019
AT 5:00 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, Aldermen M Zucco, J R Briscoe, D C Thomas, T M Denison, Councillor W F Harvey, Alderman S Behrakis and Councillor H Ewin.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

DEPUTY LORD MAYOR COUNCILLOR H BURNET
ALDERMAN DR P T SEXTON
COUNCILLOR M DUTTA
COUNCILLOR Z SHERLOCK

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 20 May 2019](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Ewin

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Certificate of Appreciation - Nepali Society of Tasmania

The Lord Mayor presented a Certificate of Appreciation from the President of the Nepali Society of Tasmania, Arjun Prasain in recognition of the Hobart City Council's continuing support of the Nepali Society of Tasmania.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

6.1 Petition - Ban the Smoking Ban in the CBD

The General Manager tabled a petition from Anna Porretta calling for a ban on the smoking ban in the central business district.

There were 747 signatories to the petition.

ZUCCO
BRISCOE

That the petition be received and noted and referred to the appropriate committee.

MOTION CARRIED


VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Ewin

Attachments

A Petition - Ban the Smoking Ban in the CBD ⇨ 

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

ZUCCO
BRISCOE

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*.

MOTION CARRIED

BY ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Ewin

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

**9.1 18 Aotea Road, Sandy Bay - Change of Use to Visitor Accommodation
PLN-19-126 - File Ref: F19/58678**

Ref: Open [CPC 7.1.1](#), 27/05/2019
Application Expiry Date: 13 June 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for change of use to visitor accommodation at 18 Aotea Road, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 27 May 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-19-126 - 18 AOTEA ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved, to the satisfaction of the Council's Director City Planning. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of permanent residents. These measures must include, but are not limited to, the following requirements:

1. A strict no-party policy, preventing events such as disruptive parties, functions, gatherings or otherwise to occur on site;
2. An appropriate waste management protocol, including removal of rubbish after each booking;
3. To limit, manage, and mitigate noise generated by the visitor accommodation;
4. To limit, manage, and mitigate behavioural issues associated with the visitor accommodation;
5. To specify the maximum permitted occupancy of the visitor accommodation. The accommodation must not be offered to more than twelve (12) guests, occupying up to six (6) rooms, at any one time;

6. To specify the maximum number of vehicles to be associated with guests, their type and where they must be parked. Guests using the accommodation must have a maximum of three (3) standard vehicles that are all capable of being driven onto the site. The management plan must also specify that those vehicles are all parked on the site at all times in the existing garage spaces or elsewhere upon the site. Guests bringing their own vehicle/s must utilise on site parking spaces and vehicles must not be left parked in surrounding streets. Mini buses or coaches must not be allowed to be retained near the site by guests and can be used for drop off or pick up only.

Once accepted by the Council, the management plan must be:

1. Circulated by the property owner, at a minimum, to all adjoining properties and those directly opposite across Aotea Road;
2. Implemented prior to the commencement of the approved use; and
3. Maintained for as long as the visitor accommodation is in operation.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation.

Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

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.

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

BEHRAKIS
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Briscoe
Thomas
Denison
Behrakis

NOES

Lord Mayor Reynolds
Harvey
Ewin

**9.2 4 Danval Place, West Hobart and Adjacent Road Reserve - Partial Demolition, Alterations, Extensions and Carport
PLN-19-120 - File Ref: F19/62247**

Ref: Open [CPC 7.1.2](#), 27/05/2019
Application Expiry Date: 20 June 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extensions and carport at 4 Danval Place, and adjacent highway reservation, West Hobart for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 27 May 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-19-120 - 4 DANVAL PLACE WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s4

The car port must be reduced in height and bulk.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved to the satisfaction of the Director City Planning, in accordance with the above requirements. The revised plans must show the following:

1. The car port roof design must be a single plane/skillion design with a maximum height of no more than 2.7m from the car parking deck level (RL+163 050); and
2. The timber slats on the north eastern elevation of the car port must be only below the standard balustrade.

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

Reason for condition

To provide relative consistency in the apparent scale, bulk, massing and proportion of dwellings (and outbuildings) in the area.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, g drains, retaining wall g 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 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the

driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the National Construction Code 2016 to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

Advice:

If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.

If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

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

ENG 2c

Prior to the commencement of use, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

Certification may be submitted to the 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 driveway and parking module and compliance with the relevant standards.

ENG 3a

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a 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 3b

The access driveway and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved, prior to the

issuing of any approval under the *Building Act 2016*.

The access driveway and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer.
2. Be in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Where the design deviates from AS/NZS2890.1:2004, demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use including endorsement from Council's City Amenity Division.
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

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.

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

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b and ENG r1.

Prior to the commencement of use, 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 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 5

The number of car parking spaces approved on the site for use is one (1).

Reason for condition

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

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 r1

The footings (driveway deck) within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the driveway deck footings within the Danval Place highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation;
3. Take into account any additional surcharge loadings as required by relevant Australian Standards;
4. Take into account and reference accordingly any Geotechnical findings;
5. Detail the design and location of the footing adjacent to Danval Place highway reservation; and

6. Include a structure certificate which notes that the driveway deck footings will not undermine the highway reservation.

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

Advice:

The applicant is required submit detailed design documentation to satisfy this condition 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]). This is a separate process to any building approval under the Building Act 2016.

Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

ENGR 3

Prior to the commencement of use, the proposed driveway apron within the Danval Place highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.
- Rural – TSD-R04-v1 – Rural Roads Typical Driveway Profile and TSD R03-v1 Rural Roads Typical Property Access.
- Footpath - Urban Roads Footpaths TSD-R11-v1.

Design drawings must be submitted and approved prior to the commencement of work. The design drawing must:

1. Show the cross and long section of the driveway crossover within the highway reservation and onto the property.
2. Be designed for the expected vehicle loadings. A structural certificate to note that driveway is suitable for heavy vehicle loadings.

3. Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside if the design deviates from the requirements of the TSD.
4. Be approved by Council's City Amenity Division should the design deviate from the previously submitted documentation. Note: that the agreement of the Council's is required to adjust footpath levels.
5. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

Advice:

The applicant is required submit detailed design documentation to satisfy this condition 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]). This is a separate process to any building approval under the Building Act 2016.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

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

ENV 1

Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.

Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).

Reason for condition

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

ADVICE

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

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

CONDITION ENDORSEMENT 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. 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.

PLANNING

This planning permit is for a single dwelling. It is noted that duplicate living areas, and kitchen facilities have been proposed and approved. This permit does not approve the use of the site as multiple dwellings.

You are encourage to plant and maintain screening vegetation between the new lower level deck close the rear boundary. To screen this deck would improve privacy between this deck and the neighbouring private outdoor space however it would reduce sunlight to the proposed deck and rumpus room.

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.

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.

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.

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.

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.

PROTECTING THE ENVIRONMENT

In accordance with the *Environmental Management and Pollution Control Act 1994*, local government has an obligation to "use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution." Click [here](#) for more information.

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.

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

**9.3 56 Athleen Avenue and Adjacent Road Reserve, Lenah Valley - Dwelling
PLN-19-145 - File Ref: F19/64981**

Ref: Open [CPC 11](#), 27/05/2019
Application Expiry Date: 25 June 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling at 56 Athleen Avenue, and adjacent road reserve, Lenah Valley for the reasons outlined in the officer's report attached to supplementary item 11 of the Open City Planning Committee agenda of 27 May 2019 and a permit containing the following conditions be issued:

GEN

The use and development must be substantially in accordance with the documents and drawings that comprise PLN-19-145 - 56 ATHLEEN AVENUE LENA VALLEY TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw2.1

A pre construction CCTV recording of the Council stormwater main in Athleen Avenue adjacent to the proposed development must be 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 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-construction CCTV recording of the Council stormwater main in Athleen Avenue adjacent to the proposed development must be submitted to Council upon completion of all work.

The post-construction CCTV will be relied upon to establish the extent of any damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to Council the pre-construction CCTV, then any damage to Council's infrastructure identified in the post- construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any 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

All stormwater from the proposed development must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to commencement of use. Any new stormwater connection(s) required must be constructed and existing redundant connections sealed by the Council at the owner's expense prior to commencement of use. Design drawings of the proposed connections to Council's stormwater infrastructure, prepared by a suitably experienced civil engineer, must be

submitted to and approved by Council prior to the commencement of work.
The design drawings and calculations must include:

1. Details of the proposed method of connection.
2. Existing and proposed invert and finished surface levels, structure sizes and specifications etc.
3. A clear delineation between public and private drainage infrastructure where applicable.

All work required by this condition must be undertaken in accordance with the approved design drawings and the current standards and specifications of the City of Hobart.

Advice:

An application to Councils City Infrastructure Division for a new stormwater connection is required (<https://au.openforms.com/Form/544DBFF8-958D-42DA-B989-912A44E155E2>). The applicant is advised to submit the detailed design drawings to satisfy this condition with their application for a new stormwater connection. If the detailed design 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. 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 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.

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 will require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. 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.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Infrastructure Division to initiate the application process for your [new stormwater connection](#).

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.

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.

COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

NOISE REGULATIONS

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

DIAL BEFORE YOU DIG

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

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey

NOES

Behrakis
Ewin

**10. Sullivans Cove Planning Scheme 1997 - Macquarie Point Site
Development Plan - Proposed Amendments - Consideration of
Representation
File Ref: F19/53894; 32-3-93**

Ref: Open [CPC 8.1](#), 27/05/2019

- That: 1. Pursuant to section 39H(14) of the *Macquarie Point Development Corporation Act 2012*, the Council advise the Minister for State Growth that it does not support the representation received from Ireneinc on behalf of DarkLab and MONA in relation to the PSA-19-2 Amendments to the *Sullivans Cove Planning Scheme 1997*.
2. Council advise the Minister for State Growth that it supports the PSA-19-2 Amendments to the *Sullivans Cove Planning Scheme 1997*.

BEHRAKIS
HARVEY

That the recommendation be adopted.

AMENDMENT

DENISON
ZUCCO

That part 2 of the recommendation be amended to include the following:

“to provide a maximum of up to 43,000 square meters of floor space to be available for residential accommodation.”

AMENDMENT LOST

VOTING RECORD

AYES

Zucco
Thomas
Denison
Ewin

NOES

Lord Mayor Reynolds
Briscoe
Harvey
Behrakis

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

11. Beach Water Quality
File Ref: F19/53845; 16/239

Ref: Open [CPC 8.2](#), 27/05/2019

- That:
1. The Council issue a joint media release with the Derwent Estuary Program and TasWater to celebrate the improvement in water quality at Nutgrove Beach West drawing attention to the collaborative work on the Lipscombe Rivulet.
 2. In conjunction with the Derwent Estuary Program and TasWater, Council undertakes an investigation and targeted sampling of potential stormwater related sources of contamination impacting Nutgrove Beach East prior to the commencement of the 2019-20 swimming and monitoring season.
 3. Council implements the various activities as outlined within section 5.1 of the report marked as item 8.2 of the Open City Planning Committee agenda of 27 May 2019, prior to the commencement of the season, and participates in workshops and training on methods for effective enterococci source tracing facilitated by the Derwent Estuary program.

BEHRAKIS
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

CITY INFRASTRUCTURE COMMITTEE

12. Proposal for a Tram Display and Workshop Facility - Hobart Regatta Grounds
File Ref: F19/46403

Ref: Open [CIC 6.1](#), 22/05/2019

- That:
1. The concept plans for a proposed tram display and workshop facility, located at the Hobart Regatta Grounds, be endorsed.
 2. The Council provide an allocation of \$20,000 from recurrent expenditure to enable the design development to be progressed.
 3. Hobart Tram Restoration and Museum Society Inc be authorised to seek funding opportunities to allow the project to proceed.
 - (i) Should funding be obtained for the project, the General Manager be authorised to progress any necessary arrangements to allow a development application to be submitted, and to commence lease negotiations over the land that would be the subject of a future report to the Council.

DENISON
EWIN

That the recommendation be adopted.

AMENDMENT

ZUCCO
BEHRAKIS

That the provision of an additional \$10,000 to enable the design development to be progressed, be considered by the City Infrastructure Committee.

AMENDMENT CARRIED

VOTING RECORD

AYES

Zucco
Briscoe
Thomas
Denison
Behrakis

NOES

Lord Mayor Reynolds
Harvey
Ewin

AMENDMENT

ZUCCO
BEHRAKIS

That a further report be provided on the concept of a men's shed being incorporated into the proposal.

AMENDMENT CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Ewin

NOES

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Ewin

COUNCIL RESOLUTION:

- That:
1. The concept plans for a proposed tram display and workshop facility, located at the Hobart Regatta Grounds, be endorsed.
 2. The Council provide an allocation of \$20,000 from recurrent expenditure to enable the design development to be progressed.
 - (i) The provision of an additional \$10,000 to enable the design development to be progressed, be considered by the City Infrastructure Committee.
 3. Hobart Tram Restoration and Museum Society Inc be authorised to seek funding opportunities to allow the project to proceed.
 - (i) Should funding be obtained for the project, the General Manager be authorised to progress any necessary arrangements to allow a development application to be submitted, and to commence lease negotiations over the land that would be the subject of a future report to the Council.
 4. That a further report be provided on the concept of a men's shed being incorporated into the proposal.

13. Australian Packaging Covenant Organisation - Food Packaging 'Round Table' Workshop - Invitation to Participate
File Ref: F19/57916

Ref: Open [CIC 11](#), 22/05/2019

- That:
1. The Council accept an invitation from the Australian Packaging Covenant Organisation (APCO) to participate in a national workshop on food service packaging guidelines, scheduled to be held in Sydney on 19 or 20 June 2019, with nominations to be sought from Elected Members at the Council meeting of 3 June 2019 to represent the City.

- (i) The cost of attendance, beyond any financial assistance provided by the workshop organiser, be funded from the City's Waste Strategy and Projects Budget Function within the Annual Plan

DENISON
THOMAS

That the recommendation be adopted.

AMENDMENT

BRISCOE
BEHRAKIS

That the estimated cost of \$800 be noted as part of the resolution and the cost be funded from the Elected Members Allowances and Expenses Function within the 2018-19 Annual Plan.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

AMENDMENT

EWIN
THOMAS

That Councillor Harvey attend the Australian Packaging Covenant Organisation – Food Packaging “Round Table” Workshop in Sydney on the 19 June 2019.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

COUNCIL RESOLUTION:

- That: 1. Councillor Harvey attend the Australian Packaging Covenant Organisation – Food Packaging “Round Table” Workshop in Sydney on the 19 June 2019.
- (i) The cost of attendance, estimated at \$800 including flights, one nights accommodation, transport and incidentals, be funded from the City’s Elected Members Allowances and Expenses Function within the 2018-19 Annual Plan.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

14. Timor-Leste Proposed Balibo Project
File Ref: F19/53862

Ref: Open [EDCC 6.1](#), 23/05/2019

That the Council endorse the proposed project for the village of Balibó in Timor-Leste, as outlined in the report marked as item 6.1 of the Open Economic Development and Communications Committee agenda of 23 May 2019, subject to a detailed report on the costs and implementation of the project being provided to Council in due course.

EWIN
HARVEY

That the recommendation be adopted.

AMENDMENT

ZUCCO
BRISCOE

- That:
1. The word “endorse” be substituted with the word “note”.
 2. The words “subject to a detailed report on the costs and implementation of the project being provided to Council in due course” after the word “2019” be substituted with the words “and a detailed report on the costs and implementation of the project be provided to the Council for consideration.”

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Harvey
Zucco	Ewin
Briscoe	
Thomas	
Denison	
Behrakis	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Denison
Zucco	
Briscoe	
Thomas	
Harvey	
Behrakis	
Ewin	

COUNCIL RESOLUTION:

That the Council note the proposed project for the village of Balibó in Timor-Leste, as outlined in the report marked as item 6.1 of the Open Economic Development and Communications Committee agenda of 23 May 2019, and a detailed report on the costs and implementation of the project be provided to the Council for consideration.

15. Business Events Tasmania Annual Funding Submission
File Ref: F19/44086

Ref: Open [EDCC 6.2](#), 23/05/2019

- That:
1. The Council notes Business Events Tasmania's funding submission for the financial year 2019–20.
 2. The Council resolves to provide funding of \$105,555 to Business Events Tasmania to be attributed to the Economic Development Budget Function of the 2019–20 Annual Plan.

EWIN
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

16. Community Conversations and Listening Posts Program
File Ref: F19/54753; 17/59

Ref: Open [EDCC 6.4](#), 23/05/2019

- That:
1. The Council endorse the Community Conversations and Listening Posts program to commence in late 2019.
 2. The Community Conversations and Listening Posts program be reviewed and evaluated after the first year of the program.

EWIN
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

EWIN
HARVEY

That supplementary item 18 be taken.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

Supplementary item 18 was then taken

17. CLOSED PORTION OF THE MEETING

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
- Information of a personal and 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	Hobart Bicycle Advisory Committee - Nominations for Membership LG(MP)R 15(2)(g)

BRISCOE
THOMAS

That the recommendation be adopted.

MOTION CARRIED

BY ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	
Behrakis	
Ewin	

SUPPLEMENTARY ITEM

SPECIAL REPORT – GENERAL MANAGER

18. Homelessness and Housing - Request for Council Response
File Ref: F19/70871; 17-239

EWIN
THOMAS

- That: 1. The City of Hobart acknowledge the reality of the housing and homelessness crisis, and convene and coordinate an urgent meeting to be facilitated by Council officers within the next seven days.
2. Invitees to the meeting include the Minister for Housing and Human Services Roger Jaensch, social housing, shelter and homelessness service providers, church groups, greater Hobart Councils, Council's Housing with Dignity Reference Group, federal government representative, relevant businesses and other stakeholders who can assist in immediate solutions to the crisis.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Zucco	
Briscoe	
Thomas	
Denison	
Harvey	

Behrakis
Ewin

Item 17 was then taken.

The Chairman adjourned the meeting at 6.30 pm for a comfort break.

The meeting was reconvened the meeting at 6.33 pm.

There being no further business the meeting closed at 6.34 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
17TH DAY OF JUNE 2019.

CHAIRMAN