



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 17 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, Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, D C Thomas, T M Denison, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, H A Ewin and Z R Sherlock.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Alderman Dr P T Sexton

Alderman Behrakis left the meeting at 6.50pm, returning at 6.51pm.

Councillor Burnet left the meeting at 6.59pm, returning at 7.01pm.

Alderman Zucco declared an interest in item 10.1 and left the meeting at 7.20pm, returning at 7.22pm.

Alderman Zucco left the meeting at 8.47pm, returning at 8.49pm.

Alderman Thomas left the meeting at 8.47pm and was not present for items 31, 32 and 33.

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

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

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*?

BURNET
BRISCOE

That item 11 and item 25 be taken after item 8.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Meeting Procedures Clarification – Points of Order

The Lord Mayor reminded elected members of her communication of 13 June 2019 which clarified some of the provisions in the *Local Government (Meeting Procedures) Regulations 2015* specifically on Points of Order and in what circumstances these can be raised.

3.2 Climate Change Protesters

The Lord Mayor advised the Chamber that the agenda contained some items that may see some members of the public attending to protest.

These members of the public have a right to protest and a right to attend Council meetings, provided they do not disrupt the conduct of the meeting.

She asked that people be respectful and not disrupt the meeting but advised that in circumstances where a disruption occurs, members of the public may be required to leave the chamber.

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

5.1 Mr Ben Lohberger - Elected Member Code of Conduct

Mr Lohberger put the following question and was provided with the corresponding response from the Lord Mayor.

Question:

In most workplaces any person who invaded a colleague's personal space and then shouted in their colleagues' face would be disciplined, or sacked, for bullying.

Does the HCC consider it acceptable behaviour for one Aldermen to approach another and shout in their face from a very close distance?

Is there a standard of behaviour for Aldermen, regarding the way they address each other and the Lord Mayor?

What steps does the HCC have in place to punish Aldermen who bully their colleagues? And, are the Aldermen themselves required to remain silent while one of their colleagues bullies another, or is that a personal decision?

Response:

Under the Local Government Act 1993, the Council must adopt a model code of conduct. One of the matters provided for in the model code of conduct is the appropriate or inappropriate behaviour of an elected member in their relationships with the community, other councillors and council employees.

The City of Hobart's Elected Member Code of Conduct is available on the City's website and a link is included in the written response to you. It expressly states that an elected member must not bully or harass any person.

A person may make a complaint against a councillor in relation to the contravention by the councillor of the City's Code of Conduct. There are certain requirements in making a complaint and I would direct you to the General Manager if you have further queries in relation to that process.

Clearly, the behaviour and conduct of all elected members is something that the City of Hobart considers incredibly important and the Council's

elected members undertake regular training on this and other aspects of their roles.

Mr Lohberger then asked a supplementary question:

Item 23 on tonight's agenda discusses something called the 'City of Hobart and University of Tasmania Governance Forum'. What is this forum and is there any information available about it?

Answer:

Correspondence from UTAS and the officer's report providing background information about this matter, is available from the Finance and Governance Committee agenda of 12 June 2019 on the City's website.

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

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

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

The following interest was indicated:

1. Alderman Zucco – Item 10.1

Item 11 was then taken.

REPORTS OF COMMITTEES

FINANCE AND GOVERNANCE COMMITTEE

The Lord Mayor gave the following address to the Chamber:

“On behalf of the elected members of the City of Hobart, I have much pleasure in presenting to the community, the budget estimates for the 2019/20 year.

The City of Hobart services a population of more than 50,000 residents and almost 1.1 million tourists in the City each year. Council has a responsibility to provide and maintain infrastructure required of a capital city and delivers over 300 services to the community.

Services range from essential services such as road maintenance, waste management, public health, planning and parking to programs and services that provide and maintaining parks and sporting facilities, public art and community programs for our youth and elderly community members.

We maintain 130 parks and reserves, including 48 playgrounds and 19 sports grounds.

The road and footpath network comprises:

- More than 280 kilometres of sealed roads
- More than 5 kilometres of unsealed roads
- More than 425 kilometres of footpaths; and
- 67 bridges

We also own or manage more than 339 kilometres of stormwater mains, more than 550 stormwater assets such as kerb and gutter and 60 kilometres of rivulets and creeks.

Challenges

The budget we are delivering this year is financially responsible but has been prepared in the face of some significant challenges, including:

- The Full Court Decision finding that Southern Cross Care does not have to pay general rates on its independent living units and ordering the Council to repay rates collected. This decision has meant that approximately \$400,000 will be lost rates income in 2019/20 and contributes approximately 0.5 per cent to the rates increase this year.
- A six percent increase in the State Government Fire Levy of \$650,000 is an additional impost that accounts for a further 0.53 per cent over and above the

rate increase required to deliver Council services.

- The expansion of programs and activities such as our grant program, increased service levels, waste reduction education, the expansion of smoking bans and other new initiatives.
- The cost of maintaining a significant asset base, estimated at some \$2 billion.

Rates

In 2019/20, a rate increase of 3.5 per cent is proposed to fund the increased cost of delivering services to meet community expectations.

While the impact on individual ratepayers varies, the average residential ratepayer will experience a rate increase of \$74 a year for Council operations.

Waste management service charges remain at last year's level of \$250 for residential properties and \$500 for non-residential properties.

The kerbside green waste collection service for some residents remains unchanged from last year, incurring a service charge of \$50 per year.

The Landfill Rehabilitation Service Charge also remains unchanged at \$10 for residential properties and \$20 for non-residential properties.

Fire Service Levy

In addition to rates, the Council is required to collect revenue on behalf of the Tasmanian Government to fund fire services.

This year, the contribution has increased by 6 per cent with Hobart City ratepayers contributing \$11.39 million to this fund. The average residential ratepayer will experience an increase of \$11 on last year.

This is not a charge by the Council but money which is collected and then paid directly to the State Fire Commission and it is used to fund services provided by the Tasmania Fire Service such as the provision of brigades, firefighting equipment, fire prevention and protection measures and training facilities for brigades.

Capital Works

We are delivering year four of our 10-year \$300 million capital works program in 2019/20. Funding of \$37.4 million will be provided for this purpose - made up of \$22 million of existing asset maintenance and \$15.4 million in new assets or upgrades.

Some of the key projects include: -

- \$5.6 million for the Doone Kennedy Hobart Aquatic Centre refurbishment;
- \$1 million for Salamanca Place to connect it to the waterfront and make it a safe and accessible space.

- \$1.25 million for the New Town Retail precinct upgrade to make it a more vibrant, inviting and accessible place. This is the third of the local retail precincts to be upgraded after Sandy Bay and Lenah Valley.
- \$1 million for Elizabeth Bus Mall to provide a wider footpath, new passenger shelters, renewed paving and improved convenience for pedestrians, passengers and nearby business operators.
- \$3.52 million for road overlay works and footpath upgrades
- \$1.9 million for sporting facilities
- \$1.98 million for stormwater

Council controls assets worth over \$2 billion so it is important that we invest in their maintenance so as not to burden future generations.

New borrowings of up to \$20 million will speed up project delivery for capital works, and existing debt of \$3.19 million will be repaid.

In 2019/20 we will continue to work on resilience to climate change, supporting energy efficiency and reducing carbon emissions.

We will deliver services and programs for older people, young people, children and families, people with disabilities and people from culturally diverse backgrounds.

Management and maintenance of our parks, gardens, bushland reserves, sports fields, recreational facilities and streetscapes will continue, as will maintenance of our road and footpath network and our stormwater system and waterways.

Our waste and recycling services and our comprehensive city cleaning regime to prevent pollution, maintain clean public spaces and reduce risks to public health, along with our environmental health program providing inspection and assessment services to protect public health will all continue.

Our economic development, tourism and arts and events functions will be funded to promote Hobart as a destination of choice for business investment and tourism, as well as contributing to a more vibrant and active city for residents.

Positive Operational Result

The Council is committed to ensuring the long-term financial sustainability of the City of Hobart, and this budget balances being financially responsible, providing core services, maintaining our assets while also recognising the impact of rates payments on our community.

In 2019/20, the underlying operating result is a forecast modest positive of \$761,000 from a \$142 million budget.

It is important to budget for a positive result to provide financial capacity to invest in new and enhanced infrastructure, service debt, meet future liabilities and to allow for

unexpected and unforeseen events. An example of which was the severe weather event in May 2018.

This budget has been prepared on the basis of City's long-term financial management plan which is designed to achieve modest underlying operating positives annually to provide for the on-going financial sustainability of the City.

We need to ensure that we can continue to provide our extensive range of services and the infrastructure required of a capital city, both now and into the future without burdening future generations of ratepayers with large rates increases or cuts to services.

Conclusion

This budget delivers a good return on investment – the money collected is being spent wisely to ensure we deliver high level services and provide a quality of life expected by people who live, study, work, play and visit our city.

We are the caretakers of a wonderful city and as the budget snapshots I have outlined show, this new Council is committed to delivering positive outcomes for our community.

I commend my elected member colleagues, the General Manager and his team who have worked hard to get the best outcomes for the City of Hobart in presenting this budget for 2019/20.

9. Budget Estimates 2019-20 File Ref: F19/57884

Ref: Open [FGC 6.1](#), 12/06/2019

- That:
1. The expenses, revenues, capital expenditure, and plant and equipment expenditure detailed in the document 'City of Hobart, Budget Estimates, for the 2019-20 Financial Year', marked as Attachment A to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be approved.
 2. New borrowings of up to \$20M be approved for infrastructure.
 3. The Council delegate to the General Manager the power to enter into loan agreements to source the above borrowings on the most favourable terms.
 4. The General Rate be 6.87 cents in the dollar of assessed annual value (AAV).
 5. The following Service Rates be made:
 - (i) A Stormwater Removal Service Rate of 0.38 cents in the dollar of AAV; and
 - (ii) A Fire Service Rate of 1.13 cents in the dollar of AAV.

6. A Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
 - (i) A Service charge of \$250 to apply to residential properties;
 - (ii) A Service charge of \$500 to apply to non-residential properties;
7. A Waste Management Service Charge of \$50 be made for kerbside green waste collection for all rateable land within the municipal area to which Council supplies or makes available a green waste collection service utilising a green waste collection bin.
8. A Landfill Rehabilitation Service Charge be made and varied according to the use or predominant use of land as follows:
 - (i) A Service charge of \$10 to apply to residential properties;
 - (ii) A Service charge of \$20 to apply to non-residential properties.
9. The rates be subject to the following remissions:
 - (i) A remission of 0.83 cents in the dollar on the AAV of any land or building which is within the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
 - (ii) A remission of 0.85 cents in the dollar on the AAV of any land or building which is within areas other than Permanent Brigade Rating Districts or the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
10. Unspent 2018-19 capital funding be carried-forward into 2019-20, with any necessary adjustments to be made in the September 2019 quarter financial report to Council.
11. The interest rate on unpaid rates be 8.1% per annum, charged monthly.
12. The 2019-20 Annual Plan, marked as Attachment B to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be adopted.
13. The Long Term Financial Management plan 2020-40, marked as Attachment C to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be adopted.
14. The following delegations be approved:
 - (i) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to the General Manager the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan; and, the Council authorise the General Manager to delegate, pursuant

Section 64 of the *Local Government Act 1993*, to such employees of the Council as he considers appropriate, the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan.

- (ii) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to all the Council Committees the power to expend monies on Council's behalf identified as Delegation Classification 2 items in the Council's Annual Plan.

ZUCCO
BURNET

That the recommendation be adopted.

AMENDMENT

BEHRAKIS
BRISCOE

That Council approve a 3.25% rate rise and authorise the General Manager be to make the required amendments to facilitate this.

BRISCOE
THOMAS

That Alderman Zucco be granted an additional two minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

AMENDMENT CARRIED

VOTING RECORD

AYES

Zucco
Briscoe
Thomas
Denison
Behrakis
Dutta
Sherlock

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Harvey
Ewin

SUBSTANTIVE MOTION
CARRIED BY ABSOLUTE
MAJORITY

VOTING RECORD

AYES

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

NOES

Deputy Lord Mayor Burnet

COUNCIL RESOLUTION:

That:

1. The expenses, revenues, capital expenditure, and plant and equipment expenditure detailed in the document 'City of Hobart, Budget Estimates, for the 2019-20 Financial Year' be approved, as amended.
2. New borrowings of up to \$20M be approved for infrastructure.
3. The Council delegate to the General Manager the power to enter into loan agreements to source the above borrowings on the most favourable terms.
4. The General Rate be 6.85 cents in the dollar of assessed annual value (AAV).

5. The following Service Rates be made:
 - (i) A Stormwater Removal Service Rate of 0.38 cents in the dollar of AAV; and
 - (ii) A Fire Service Rate of 1.13 cents in the dollar of AAV.
6. A Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
 - (i) A Service charge of \$250 to apply to residential properties;
 - (ii) A Service charge of \$500 to apply to non-residential properties;
7. A Waste Management Service Charge of \$50 be made for kerbside green waste collection for all rateable land within the municipal area to which Council supplies or makes available a green waste collection service utilising a green waste collection bin.
8. A Landfill Rehabilitation Service Charge be made and varied according to the use or predominant use of land as follows:
 - (i) A Service charge of \$10 to apply to residential properties;
 - (ii) A Service charge of \$20 to apply to non-residential properties.
9. The rates be subject to the following remissions:
 - (i) A remission of 0.83 cents in the dollar on the AAV of any land or building which is within the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
 - (ii) A remission of 0.85 cents in the dollar on the AAV of any land or building which is within areas other than Permanent Brigade Rating Districts or the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
10. Unspent 2018-19 capital funding be carried-forward into 2019-20, with any necessary adjustments to be made in the September 2019 quarter financial report to Council.
11. The interest rate on unpaid rates be 8.1% per annum, charged monthly.
12. The 2019-20 Annual Plan be adopted, as amended.
13. The Long Term Financial Management plan 2020-40 be adopted, as amended.

14. The following delegations be approved:

- (i) Pursuant to Section 22 of the Local Government Act 1993, the Council delegate to the General Manager the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan; and, the Council authorise the General Manager to delegate, pursuant Section 64 of the Local Government Act 1993, to such employees of the Council as he considers appropriate, the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan.
- (ii) Pursuant to Section 22 of the Local Government Act 1993, the Council delegate to all the Council Committees the power to expend monies on Council's behalf identified as Delegation Classification 2 items in the Council's Annual Plan.

CITY PLANNING COMMITTEE

10. 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.

Alderman Zucco declared an interest in item 10.1 and left the meeting.

**10.1 349 Elizabeth Street, North Hobart - Partial Demolition, Alterations, Extension, Signage and Partial Change of Use to Hotel Industry
PLN-19-137 - File Ref: F19/69874**

Ref: Open [CPC 7.1.1](#), 11/06/2019
Application Expiry Date: 23 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, extension, signage and partial change of use to hotel industry at 349 Elizabeth Street, North Hobart for the reasons that the application satisfies the acceptable solutions in respect to the following performance criteria:

1. Historic Heritage Code – Listed Place, Heritage Precinct North Hobart and
2. North Hobart Specific Area Plan,

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-19-137 - 349 ELIZABETH STREET NORTH 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 2019/00350-HCC dated 22 March 2019 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5867 dated 9 May 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 14

The noise generated by the use (hotel industry) must not cause environmental harm when measured at the boundary of the adjacent inner residential zone.

Reason for the condition

To ensure noise emissions do not cause environmental harm, and do not have an unreasonable impact on residential amenity.

PLN 6

The use (hotel industry) must not be open to the public outside of the following hours:

- Monday to Sunday 7am - 12am (midnight)

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

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.

ENV 1

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

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

Reason for condition

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

HER 9

All replacement windows on the western and eastern elevation must be traditional timber glazed sash windows.

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved providing further details of the windows in accordance with the above requirement, to the satisfaction of the Council's Director City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 10

The existing window at first floor in the southern elevation of the existing building must be retained.

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER 6

Salvage/retrieval/recycle must be undertaken to ensure the reuse of the following heritage fabric:

1. The original timber cupboard/joinery in the living room (as described in Existing Upper Level Plan PERR-R-07 dated 9/4/19),
2. The five six-panel doors, and
3. All original skirting boards and architraves.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing how proposed salvage/retrieval/recycle of the above heritage fabric is to be achieved in accordance with the above requirement.

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

Reason for Condition

To ensure that demolition is whole or part of a heritage place does not result in the loss of historic cultural heritage values.

HER 7

Archival quality annotated photographs and drawings of the internal building features to be demolished must be recorded prior to commencement of work.

The photographs and drawings must be submitted and approved, prior to the commencement of work. The photographs and drawings must include:

1. The interior of the building, including but not limited to skirting boards, doors, architraves, and cupboards/joinery;
2. Both electronic and hard copy colour images;
3. Photographs of any detail that may be of historical or architectural interest; and
4. Cross referencing of all photographs to “as existing” plan showing the location and orientation of the camera.

Reason for condition

To ensure recognition of the historic cultural heritage significance of the place.

HER s1

The solid to void ratio of the first floor western elevation (facing Elizabeth Street) must be increased to 75% (solid) to 25% (void).

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved showing a solid to void ratio in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

HER s2

The first floor western elevation (facing Elizabeth Street) must be setback from the front boundary by a minimum of 2.1m.

Prior to the issue of any consent under the *Building Act 2016* (including demolition), revised plans must be submitted and approved showing a setback in accordance with the above requirement, to the satisfaction of the Directory City Planning.

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

Reason for condition

To ensure that the proposal does not result in the loss of historic cultural heritage values.

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.

SPECIAL CONNECTION PERMIT

You may need a Special Connection Permit (Trade Waste) in accordance with the *Plumbing Regulations 2014* and the Tasmanian Plumbing Code. Click [here](#) for more information.

PUBLIC HEALTH

You may be required to provide approved/endorsed plans for a food business fit out, in accordance with the National Construction Code - Building Code of Australia including Tas Part H102 for food premises which must have regard to the FSANZ Food Safety Standards. Click [here](#) for more information.

FOOD BUSINESS REGISTRATION

Food business registration in accordance with the *Food Act 2003*. 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.

NOISE REGULATIONS

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

WASTE DISPOSAL

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

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

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

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

10.2 71 Letitia Street, North Hobart - Partial Demolition, Subdivision (One Additional Lot) and Alterations to Carparking PLN-19-79 - File Ref: F19/71709

Ref: Open [CPC 7.1.2](#), 11/06/2019
Application Expiry Date: 11 July 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, subdivision (one additional lot) and alterations to carparking at 71 Letitia Street, North Hobart for the reasons

outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 11 June 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-19-79 - 71 LETITIA STREET NORTH HOBART TAS 7000 - FINAL PLANNING DOCUMENTS, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00225-HCC dated 17 April 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5845 dated 22 May 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the sealing of the final plan.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

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

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

Advice:

- *The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division [application for a new stormwater connection](#). If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.*
- *Where building / plumbing approval is also required, it is recommended that documentation to satisfy this condition is submitted well before submitting documentation for building/plumbing approval. Failure to address planning condition requirements prior to submitting for building/plumbing approval may result in unexpected delays.*

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to sealing of the final plan. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. Prepared by a suitably qualified person; and
2. Include long section(s)/levels and grades to the point of discharge.

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

Advice:

- *The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition).

The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.
5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

- *Once the construction traffic and parking management plan 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 vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

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 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/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 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Pitt & Sherry Proposed Parking Lot design drawing received by the Council on the 19th February 2019, except that the parking module must be amended to the satisfaction of the Director City Planning to include:

- motorcycle parking to satisfy clause E.6.6.3 A1 of the *Hobart Interim Planning Scheme 2015*; and
- bicycle parking to satisfy the requirements of Table E6.2 of the *Hobart Interim Planning Scheme 2015* for 'Business and Professional Services'.

Prior to the sealing of the final plan, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above condition 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 sealing of the final plan.

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 minimum number of car parking spaces (including two accessible parking spaces for people with a disability) approved on the site for use, is sixty two (62).

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to sealing of the final plan.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 1

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

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 2

The final plan and schedule of easements must be submitted and approved in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

ENG 14

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot in order to ensure that they are contained wholly within the lots served (or appropriate easements).

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ENG15

In order to satisfy condition ENG 14 on the separation of services, the developer must verify compliance by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

Advice:

- *Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A “qualified person” must be a Professional Engineer or Professional Surveyor or other persons acceptable to Council.*

Reason for condition

To ensure that the Developer provides the Council with clear written confirmation that the separation of services is complete.

Part 5 1

Prior to the commencement of work, the owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* and which provides for the following:

1. That Lot 1 is designated for multiple dwelling use and development only.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Advice:

- *Please contact the Council's Development Appraisal Unit on 6238 2715 to request the Part 5 Agreement process be started. Once the request to start the process has been made, the Council will have its solicitors prepare the Part 5 Agreement for signing by property owners. Council will then lodge the Agreement with the Lands Titles Office to be placed on the title of the property. The cost of preparing the Part 5 and registration with the Recorder of titles is to be met by the applicant.*
- *Where building approval is also required, it is recommended that the Part 5 Agreement process be started well before submitting documentation for building approval. Failure to start the Part 5 Agreement process prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To clarify the intended future use and development of the lot and to ensure compliance with the requirements of Table 11.1 of the *Hobart Interim Planning Scheme 2015* with regard to acceptable lot size.

OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lot 1, in lieu of the provision of public open space within the subdivision.

Advice:

- *The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.*

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.

SUB s1

The existing brick building straddling the south-eastern boundary of Lot 1 is to be removed, prior to the sealing of the final plan.

Reason for condition

To ensure that there are no building encroachments over the boundary of Lot 1.

SUB s2

A stormwater drainage design must be submitted and approved, prior to the commencement of use.

To satisfy the above requirement, the stormwater drainage design must:

1. Be prepared by a suitably qualified person;
2. Accommodate a storm with an average recurrence interval (ARI) of 20 years; and
3. Ensure that stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

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

Advice:

- *Once the stormwater drainage design has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

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.

TREES

Works are to ensure that any impact on the three trees on Letitia Street along the frontage of the balance lot is minimised. For example, there should be no storage of materials, parking of cars or compaction within the Tree Protection Zone.

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.

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.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#).

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

BURNET
BEHRAKIS

That the recommendation be adopted.

AMENDMENT

BRISCOE
DUTTA

That the City Infrastructure Committee be requested to address on-street parking in the area of the development.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That A:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, subdivision (one additional lot) and alterations to carparking at 71 Letitia Street, North Hobart for the reasons outlined in the officer's report, attached to item 7.1.2 of the Open City Planning Committee agenda of 11 June 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-19-79 - 71 LETITIA STREET NORTH HOBART TAS 7000 - FINAL PLANNING DOCUMENTS, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/00225-HCC dated 17 April 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

THC

The use and development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5845 dated 22 May 2019, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the sealing of the final plan.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

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

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

Advice:

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

associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.

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

Reason for condition

To ensure the site is drained adequately.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to sealing of the final plan. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. Prepared by a suitably qualified person; and
2. Include long section(s)/levels and grades to the point of discharge.

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

Advice:

- *The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.
5. Nominate a superintendent, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

- *Once the construction traffic and parking management plan 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 vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

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 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/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 3c

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Pitt & Sherry Proposed Parking Lot design drawing received by the Council on the 19th February 2019, except that the parking module must be amended to the satisfaction of the Director City Planning to include:

- motorcycle parking to satisfy clause E.6.6.3 A1 of the *Hobart Interim Planning Scheme 2015*; and
- bicycle parking to satisfy the requirements of Table E6.2 of the *Hobart Interim Planning Scheme 2015* for 'Business and Professional Services'.

Prior to the sealing of the final plan, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above condition 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 sealing of the final plan.

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 minimum number of car parking spaces (including two accessible parking spaces for people with a disability) approved on the site for use, is sixty two (62).

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to sealing of the final plan.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 1

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

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

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

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

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

ENV 1

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

Advice:

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

Reason for condition

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

SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

SURV 2

The final plan and schedule of easements must be submitted and approved in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

ENG 14

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot in order to ensure that they are contained wholly within the lots served (or appropriate easements).

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ENG15

In order to satisfy condition ENG 14 on the separation of services, the developer must verify compliance by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

Advice:

- *Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" must be a Professional Engineer or Professional Surveyor or other persons acceptable to Council.*

Reason for condition

To ensure that the Developer provides the Council with clear written confirmation that the separation of services is complete.

Part 5 1

Prior to the commencement of work, the owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* and which provides for the following:

1. That Lot 1 is designated for multiple dwelling use and development only.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Advice:

- *Please contact the Council's Development Appraisal Unit on 6238 2715 to request the Part 5 Agreement process be started. Once the request to start the process has been made, the Council will have its solicitors prepare the Part 5 Agreement for signing by property owners. Council will then lodge the Agreement with the Lands Titles Office to be placed on the title of the property. The cost of preparing the Part 5 and registration with the Recorder of titles is to be met by the applicant.*
- *Where building approval is also required, it is recommended that the Part 5 Agreement process be started well before submitting documentation for building approval. Failure to start the Part 5 Agreement process prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To clarify the intended future use and development of the lot and to ensure compliance with the requirements of Table 11.1 of the *Hobart Interim Planning Scheme 2015* with regard to acceptable lot size.

OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lot 1, in lieu of the provision of public open space within the subdivision.

Advice:

- *The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.*

Reason for condition

Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.

SUB s1

The existing brick building straddling the south-eastern boundary of Lot 1 is to be removed, prior to the sealing of the final plan.

Reason for condition

To ensure that there are no building encroachments over the boundary of Lot 1.

SUB s2

A stormwater drainage design must be submitted and approved, prior to the commencement of use.

To satisfy the above requirement, the stormwater drainage design must:

1. Be prepared by a suitably qualified person;
2. Accommodate a storm with an average recurrence interval (ARI) of 20 years; and
3. Ensure that stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

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

Advice:

- *Once the stormwater drainage design has been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

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.

TREES

Works are to ensure that any impact on the three trees on Letitia Street along the frontage of the balance lot is minimised. For example, there should be no storage of materials, parking of cars or compaction within the Tree Protection Zone.

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.

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.

SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#).

All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

B:

The City Infrastructure Committee be requested to address on-street parking in the area of the development.

10.3 66 Burnett Street, North Hobart - Alterations to Previously Approved Development for Two Additional Visitor Accommodation Units and Alterations to Parking PLN-19-227 - File Ref: F19/72029

Ref: Open [CPC 7.1.3](#), 11/06/2019
Application Expiry Date: 19 June 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations to previously approved development for

two additional visitor accommodation units and alterations to parking at 66 Burnett Street, North Hobart as the change in allocation of Car/Bike/bicycle spaces satisfies the Council that the development meets its requirements for parking and traffic management and that the proposed parking spaces would adequately service the building, 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-19-227 66 BURNETT STREET NORTH HOBART TAS 7000 – Final Planning Documents.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposal 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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Reason for condition

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

ENG sw4

The new stormwater connection must be constructed and existing abandoned connections sealed by the Council at the owner's expense, prior to the first occupation.

Detailed engineering drawings must be submitted and approved, prior to commencement of work. The detailed engineering drawings must include:

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

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

Advice:

The applicant is advised to submit detailed design drawings via a Council City Infrastructure Division application for a new stormwater connection. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to submit an application for a new stormwater connection with Council City Infrastructure Division.

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

Reason for condition

To ensure the site is drained adequately.

ENG sw5

The new stormwater main must be designed and constructed prior to the commencement of the use.

1. Be certified by a qualified and experienced civil engineer;
2. Include a plan and long-section of the proposed stormwater main;
3. Include the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings; and
4. Include a construction program and method for the proposed diversion of the stormwater main, to satisfy the above requirement.

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

Advice:

The applicant is required to submit detailed design documentation to satisfy this condition via the 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 Council's hydraulic infrastructure meets acceptable standards.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. Prepared by a suitably qualified person; and
2. Include long section(s)/levels and grades to the point of discharge.

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

Advice:

The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain plumbing permit for the works.

Reason for condition

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

ENG sw7

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

1. Be prepared by a suitably qualified person;
2. The detention tank must be sized such that there is no increase in flows from the developed site up to the 20 year ARI storm event. All assumptions must clearly stated;
3. Include supporting maintenance plan; and
4. Include a storm water management plan.

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

Advice: Once the treatment plan has been approved 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 possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 5

The number of car parking spaces approved on the site, for us is seventy three (73), including two (2) parking spaces for people with disabilities.

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2001 AS/NZS 2890.6: 2009, prior to first occupation.

Advice: this condition supersedes condition ENG 5 upon the Planning Permit issued for PLN-17_1066.

Reason for condition

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

ENG 6

The number of bicycle parking spaces approved on the site is a minimum of twenty four (24).

The bicycle parking areas must be constructed on the site compliant with the Australian Standards AS/NZS 2890.3:2015 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 6 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENG 7

The number for motorbike parking spaces approved on the site is minimum of twenty four (24). The motorcycle parking areas must be constructed on the site compliant with Australian Standards AS/NZS 2890.1:2004 prior to the commencement of the use.

Advice: this condition supersedes condition ENG 7 upon the Planning Permit issued for PLN-17-1066.

Reason for condition

To ensure safe and efficient parking adequate to provide for the use.

ENVHE 1

- (a) The advice and recommendations made in the Environment Site Assessment (GeoEnvironmental Solutions 66 Burnett Street, North Hobart dated December 2017 Amended 11 January 2018), must be implemented prior to commencement of construction of the proposed new development.

Reports for subsequent environmental site assessments must be submitted to Council and must be to the satisfaction of Council's Environmental Health Officer.

- (b) The Contamination Management Plan (GeoEnvironmental Solutions 66 Burnett Street North Hobart December 2017) must be implemented and if new information becomes available during the subsequent environmental site assessment undertaken prior to construction, that it be updated and implemented accordingly.

Reason for condition

To ensure the subject land is capable of supporting the proposed development and future use in terms of site contamination issues.

PLN s1

This permit is subject to and conditional upon substantial commencement of Planning Permit PLN-17-1066. If that Planning Permit lapses, this Planning Permit will also lapse. This Planning Permit is also subject to the conditions contained in that Planning Permit, except where this Planning Permit provides otherwise.

Reason for condition

To clarify the scope of the permit.

BURNET
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Behrakis
Dutta
Ewin
Sherlock

NOES

Deputy Lord Mayor Burnet
Harvey

**10.4 4 Glover Drive, Sandy Bay Adjacent Road Reserve - Dwelling
PLN-19-135 - File Ref: F19/71234**

Ref: Open [CPC 7.1.5](#), 11/06/2019
Application Expiry Date: 18 July 2019
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for dwelling at 4 Glover Drive, Sandy Bay, Tas, 7005 and adjacent road reserve for the reasons outlined in the officer's report, attached to item 7.1.5 of the Open City Planning Committee agenda of 11 June 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-19-135 4 GLOVER DRIVE SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's 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 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 first occupation, 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 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 generally in accordance with the Australian Standard AS/NZS2890.1:2004.
3. Demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, where the design deviates from AS/NZS2890.1:200.
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.

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 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 earth-retaining structures (ie embankments, cuttings, retaining walls) and footings and driveway within or supporting the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings, structural certificates and associated geotechnical assessments of the retaining walls, footing and driveway within or supporting the Glover Drive highway reservation highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified and experienced engineer.
2. Not undermine the stability of the highway reservation.
3. Be designed in accordance with AS4678, with a design life in accordance with table 3.1 typical application major public infrastructure works.
4. Take into account any additional surcharge loadings as required by relevant Australian Standards.
5. Take into account and reference accordingly any Geotechnical findings.
6. Include pedestrian handrails on all retaining walls greater than 900mm located within the highway reservation.
7. Detail any mitigation measures required.

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 alteration to the driveway crossover Glover Drive highway reservation must be designed and constructed generally in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.

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

1. Demonstrate that a B85 vehicle (AS/NZS 2890.1:2004) can access the driveway from the road pavement into the property without scraping the underside of the B85 vehicle if the design deviates from the requirements of the TSD.
2. 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 effect 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 8

The following landslide risk mitigation measures must be implemented and maintained for the life of the development:

1. Fill material required for the car parking area must be benched and keyed into the slope, with a suitably designed retaining wall on the downhill side.
2. All structures must have foundations extending into the underlying bedrock (pier footings recommended).
3. The natural slope must remain undisturbed at the existing slope angle, or if cuts are to be carried out, engineered retaining structures must be used.
4. Development must be in accordance with the guidelines for hillside construction in Appendix G of the *Practice Note Guidelines for Landslide Risk Management* (Australian Geomechanics Society, 2007).

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

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.

Part 5 r1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* with respect to the protection retaining wall, building adjacent to the Glover Drive highway reservation prior to the commencement of work.

The owner must not undertake any works at any time (including excavation and building) that will have any effect on the integrity of the Glover Drive highway reservation or any retaining structure adjacent to Glover Drive

highway reservation or the road formation themselves or undermine the structural integrity of the highway reservation.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Advice: For further information with respect to the preparation of a part 5 agreement please contact Council's Development Engineering Staff.

Reason for condition

To ensure the protection of Council are retained.

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

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

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.

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.

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
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 12 was then taken.

11. Climate and Biodiversity Emergency
File Ref: F19/71938; 13-1-9

Ref: Open [CPC 9.1](#), 11/06/2019

That the City of Hobart affirms its commitment to future generations in addressing catastrophic climate change and biodiversity loss through its on-going policies, strategies and leadership and include acknowledgement of the importance of Climate Change action and biodiversity protection in the Council's new strategic plan.

BURNET
DENISON

That the recommendation be adopted.

AMENDMENT

HARVEY
EWIN

Part A

That the heading of the item be amended to "A Global Climate and Biodiversity Emergency"

That the City of Hobart:

1. Affirms its commitment to future generations in addressing catastrophic climate change and biodiversity loss through its on-going policies, strategies and leadership by supporting the declaration of a climate and biodiversity emergency.

2. Submit urgency motions to the Local Government Association of Tasmanian and the Australian Local Government Association to declare a national climate and biodiversity emergency.
3. Include acknowledgement of the declaration of a climate and biodiversity emergency in the Councils new Strategic Plan.

Part B

That the City of Hobart writes to the State and Federal Governments urging them and their Government to declare a climate and biodiversity emergency and to commit to implementing strong national policy, regulation, strategy and resources to secure the well-being of future generations of Australians and to secure the country's indigenous habitat, ecosystems and ecosystem services on which we all depend and to address the catastrophic causes pushing 1000s of Australian mammal, marine, plant and insect species towards extinction.

ZUCCO
BEHRAKIS

That the vote for Part A and Part B be taken separately.

MOTION CARRIED

VOTING RECORD

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

The Chairman then put clause A of the amendment.

AMENDMENT CARRIED

VOTING RECORD

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

The Chairman then put clause B of the amendment.

AMENDMENT CARRIED

VOTING RECORD

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

AMENDMENT

ZUCCO
SHERLOCK

That:

1. A list of all actions the Council has undertaken in relation to climate change be included in writing to the Premier and Prime Minister.
2. The Council write to the Premier and Prime Minister to express support for the Battery of the Nation project.

SHERLOCK
BRISCOE

That the vote for clause 1 and clause 2 taken separately.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The Chairman then put clause 1 of the amendment.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

The Chairman then put clause 2 of the amendment.

AMENDMENT LOST

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION

CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. The heading of the item be amended to “A Global Climate and Biodiversity Emergency”
2. The City of Hobart:
 - (i) Affirms its commitment to future generations in addressing catastrophic climate change and biodiversity loss through its on-going policies, strategies and leadership by supporting the declaration of a climate and biodiversity emergency.
 - (ii) Writes to the Premier of Tasmania and the Prime Minister urging them and their Governments to declare a climate and biodiversity emergency and to commit to implementing strong national policy, regulation, strategy and resources to secure the well-being of future generations of Australians and to secure the country’s indigenous habitat, ecosystems and ecosystem services on which we all depend and to address the catastrophic causes pushing 1000s of Australian mammal, marine, plant and insect species towards extinction.
 - a) A list of all actions the Council has undertaken in relation to climate change be included in writing to the Premier and Prime Minister.
 - (iii) Submit urgency motions to the Local Government Association of Tasmanian and the Australian Local Government Association to declare a national climate and biodiversity emergency.
 - (iv) Include acknowledgement of the declaration of a climate and biodiversity emergency in the Council's new Strategic Plan.

Item 25 was then taken.

12. Monthly Building Statistics - 1 May 2019 - 31 May 2019
File Ref: F19/71901

Ref: Open [CPC 8.1](#), 11/06/2019

That the information be received and noted.

- A. 1. During the period 1 May 2019 to 31 May 2019, 64 permits were issued to the value of \$16,804,671 which included:
- (i) 34 for Extensions/Alterations to Dwellings to the value of \$4,773,650;
 - (ii) 11 New Dwellings to the value of \$3,935,946; and
 - (iii) 1 Major Project:
 - (a) 218 Macquarie Street (St. Michael's Collegiate) - Alterations - Stage 1 Science Block - \$4,460,000
2. During the period 1 May 2018 to 31 May 2018, 35 permits were issued to the value of \$11,543,331 which included:
- (i) 19 for Extensions/Alterations to Dwellings to the value of \$5,513,115;
 - (ii) 14 New Dwellings to the value of \$4,457,201; and
 - (iii) 3 Major Projects:
 - (a) 92-96 Argyle Street, Hobart - Commercial Internal Alterations to office and retail - \$2,400,000;
 - (b) 128 Strickland Avenue, South Hobart - Demolition, Five Multiple Dwellings and Associated Works - \$2,000,000; and
 - (c) 40 Melville Street, Hobart - Staged Application - Student Accommodation Early Works (up to the completion of LG slab only) - \$1,545,328
- B. 1. In the twelve months ending May 2019, 618 permits were issued to the value of \$336,329,552; and
2. In the twelve months ending May 2018, 610 permits were issued to the value of \$335,262,071

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**13. Resolutions Arising from the Public Meeting into Building Heights - Held
16 April 2019**

File Ref: F19/69396; 17/167

Ref: Open [CPC 8.2](#), 11/06/2019

- That: 1. The report attached to item 8.2 of the Open City Planning Committee meeting of the 11 June 2019 be received and noted.
2. The Council note that the issues raised in the resolutions relating to building heights and design will be examined as part of the proposed Central Hobart Precincts Plan project.

BURNET
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

14. Delegation Review - Emergency Delegation

File Ref: F19/71819; 17/52

Ref: Open [CPC 13](#), 11/06/2019

That: 1. The delegation from the Council pursuant to Section 6(3) of the *Land Use Planning and Approvals Act 1993* to the General Manager, Director City Planning, Manager Development Appraisal, the Manager Planning Policy and Heritage and the Senior Statutory Planner, to determine applications in circumstances where the applicant has refused to grant an extension of time in accordance with section 57(6)(b) and 57(6A) of the *Land Use Planning and Approvals Act 1993* to enable the application to be considered at a scheduled meeting of the full Council; be amended to include reference to a special meeting of the Council as follows:

To determine applications in circumstances where the applicant has refused to grant an extension of time in accordance with section 57(6)(b) and 57(6A) of the Land Use Planning and Approvals Act 1993 to enable the application to be considered at a scheduled meeting of the Council or a special meeting of the Council.

2. A note be included in the Delegations Register that any duly authorised delegate determining applications under the *Land Use Planning and Approvals Act 1993* must take into account the matters in section 51 of the Act including consideration of the matters set out in representations.
3. Officers investigate the development of guidelines for determining when a change to an application requires a new application to be lodged and that such investigation occur after the Resource Management and Planning Appeal Tribunal hands down its decision in relation to 2 Castray Esplanade, Battery Point and 256 Brooker Avenue, North Hobart.

BURNET
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015**

**15. Social Inclusion Index - Connected Community Program
File Ref: F19/52327**

Ref: Open [EDCC 7.1](#), 23/05/2019

Councillors Sherlock / Dutta

Motion:

“That Council consider the addition of a Social Inclusion Index (SII), as an initiative of the Connected Community Program within the Connected Hobart Action Plan. The index would serve to support and measure the impact of, and potential actions for, homelessness in Greater Hobart.”

Rationale:

“In recent weeks we have heard that Connected Hobart is not all about digital technologies. Sometimes it is about embracing innovative opportunities to look at the world differently. With that in mind, how do we become a more socially inclusive city?

How do we move forward, in the right direction, and make practical changes, grounded in evidence? The simple answer is, we get information. However, to be useful, information needs to be specific and for a specific purpose. That is the intention of this motion.

If our goal is to be a socially inclusive city, wouldn't it be nice, in fact, wouldn't it be practical to get information for a specific purpose? Evidence that not only

shows us where we are now, but where we are in 3 to 6 months from now; what we have achieved, or where we are failing to move the needle on change. This is the purpose of the Social Inclusion Index. The Index aims to measure quarter to quarter whether we have improved, regressed or stayed the same, and adjust our course accordingly.

Information obtained from the SII could have far reaching benefits for services. How we make changes and data can potentially be used to provide better structure and programs across other areas. How we go about making practical changes comes from this visibility of statistical data and information, and by putting measures on ourselves of how we are progressing on these issues.

The Index would not be an invasion of privacy nor require personal data. It could coalesce a range of existing social and economic measures in order to determine the social inclusivity progress of the city. It could be a national first. These measures may include:

- Homeless population
- Empty homes
- Housing affordability
- Hotel room vacancies
- Share accommodation stock volumes
- Number of homes per person in Hobart
- Ratios of houses to apartment living
- Development approvals new room counts
- Incarceration populations
- Investment housing stock
- And even compound statistics such as churches per population

Examples of what we can do when we have the right information:

- Inform better planning decisions
- Work more closely and purposefully with community welfare organisations
- Enhance grant funding opportunities
- Repurpose city assets: Car parking operator Secure Parking is starting a trial in Brisbane where empty car parks will be turned in to temporary overnight accommodation for homeless people. This will provide them shelter while the car parks are not in use."

<https://www.facebook.com/7NEWSBrisbane/videos/2225504957687721/?v=2225504957687721>"

The General Manager reports:

"In line with the Council's policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it relates to the Connected Hobart Action Plan."

SHERLOCK
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That a report be provided considering the addition of a Social Inclusion Index (SII), as an initiative of the Connected Community Program within the Connected Hobart Action Plan. The index would serve to support and measure the impact of, and potential actions for, homelessness in Greater Hobart.

16. Notices of Motion

File Ref: F19/64803; s13-001-10

Ref: Open [FGC 7.1](#), 12/06/2019

Alderman Zucco

Motion:

“That section 13, “Notices of Motion” of the Council Policy, Meetings: Procedures and Guidelines be reviewed.”

Rationale:

“Clause 13 of the Policy states:

13. NOTICES OF MOTION

In accordance with the resolution of the Council dated 14 February 2012 and 8 October 2012, the following procedures apply in respect to the lodgement of Notices of Motions (NoMs), pursuant to Section 16 of the Local Government (Meeting Procedures) Regulations 2015:

- 1. All NoMs be submitted on the agenda of the relevant Council committee, in accordance with the committees’ Terms of Reference, unless the Alderman submitting the Motion deems the matter to be urgent and therefore requiring determination prior to the next scheduled ordinary meeting of the relevant committee, in which case the Motion may be submitted directly to the Council where the following process shall apply:*
 - (i) The Council, upon considering a NoM deemed urgent by the proponent is firstly to ratify by resolution that such a Motion is urgent, prior to considering the substance of the Motion.*
 - (ii) Should the Council determine that the Motion is not urgent, the Motion may not be further debated but be subsequently referred to the next ordinary meeting of the appropriate committee for consideration.*
- 2. Whether a Notice of Motion be won or lost at a committee meeting, the Motion will be referred to the Council for consideration where the normal rules of debate shall apply.*
 - (i) Where a Notice of Motion may not be supported at Committee and an alternative resolution is passed by the Committee, the items be listed separately on the Council agenda.*
- 3. When a Notice of Motion is debated at Council, Aldermen may speak to a motion for no longer than three minutes with no extensions of time being granted.*
- 4. Should an Alderman proposing a Notice of Motion not be a member of the committee considering the Notice of Motion, the Alderman is to become a supernumerary member of that committee, solely for the purposes of moving and resolving their Motion.*

5. *The General Manager is to provide qualification as to whether the substance of a NoM resides within the jurisdiction of the Hobart City Council.*

The urgency motion provision requires review as its purpose can be accommodated under the authority of the General Manager either by:

- The calling of an urgent Council meeting;
- The General Manager providing an urgent report to the Council.

The latter has been the case in the past.

In conjunction with the points mentioned above the current meeting cycle can adequately accommodate an orderly Notices of Motion process.”

The General Manager reports:

“In line with the Council’s policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it relates to a Council Policy.”

ZUCCO
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That section 13, “Notices of Motion” of the Council Policy, Meetings: Procedures and Guidelines be reviewed.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

17. Review of the Capital City Strategic Plan 2015-25
File Ref: F19/42389

Ref: Open [CCEC 4.1](#), 17/06/2019

That:

1. The Council endorse the draft Capital City Strategic Plan 2019-29, marked as Attachment A to item 4.1 of the Special Community Culture and Events Committee agenda of 17 June 2019, and it be released for community and stakeholder engagement for a period of 21 days.
2. A further report be provided detailing the outcome of the community and stakeholder engagement, and the final document for approval.

HARVEY
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

FINANCE AND GOVERNANCE COMMITTEE

18. Financial Report as at 31 March 2019
File Ref: F19/70419

Ref: Open [FGC 6.2](#), 12/06/2019

- That:
1. That the information be received and noted.
 2. The Council approve the changes to the 2018-19 Estimates as recommended, listed in tables 4, 5, 7 and 9 of Attachment A to item 6.2 of the Open Finance and Governance Committee agenda of 12 June 2019, the financial impacts of which are to increase the underlying surplus by \$1.03M, and to decrease the cash balance by

\$0.5M.

3. The Council note that the Council remains in a strong, sustainable financial position.

ZUCCO
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

19. Local Government Act 1993 - Petitions, Polls and Meetings
File Ref: F19/71168; S16-001-02

Ref: Open [FGC 6.3](#), 12/06/2019

That the General Manager write to the Director of Local Government highlighting the concerns with Part 6 of the *Local Government Act 1993*, as detailed in the report marked as item 6.3 of the Open Finance and Governance Committee agenda of 12 June 2019, as part of the current review of the Tasmanian local government legislative framework.

- (i) The correspondence to include consideration of the state government meeting the cost of elector polls.

ZUCCO
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

20. Delegation - Use of Common Seal
File Ref: F19/70952

Ref: Open [FGC 6.4](#), 12/06/2019

That the Council endorse the delegation in respect to the affixation of the Common Seal in accordance with the instrument of delegation marked as Attachment A to item 6.4 of the Open Finance and Governance Committee agenda of 12 June 2019.

ZUCCO

SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

21. Town Hall - Provision of Additional Flagpoles

File Ref: F19/53814

Ref: Open [FGC 6.5](#), 12/06/2019

- That:
1. That Council utilise a row of up to six of the existing flagpole holes located towards the Argyle Street side of the Town Hall Forecourt, shown in the plan marked as Attachment A to the minutes of the Open Finance and Governance Committee meeting of 12 June 2019, to enable the co-ordinated display of flags.
 2. A policy be developed to manage the flagpoles on both the Town Hall and Council Centre buildings, including the display of flags and those occasions when the Town Hall poles will be temporarily removed for civic purposes.
 3. The purchase and installation of the flagpoles estimated at \$7200 be funded from the Corporate Property function of the 2018/2019 Annual Plan.

ZUCCO

SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Zucco
Briscoe
Thomas
Denison
Harvey
Behrakis
Dutta
Sherlock

NOES

Deputy Lord Mayor Burnet
Ewin

22. Revised City of Hobart Code for Tenders and Contracts

File Ref: F19/70421

Ref: Open [FGC 6.6](#), 12/06/2019

- That:
1. The Council adopt the revised City of Hobart Code for Tenders and Contracts marked as Attachment B to item 6.6 of the Open Finance and Governance Committee agenda of 12 June 2019.
 2. The General Manager be authorised to finalise the City of Hobart Code for Tenders and Contracts and arrange for it to be made available to the public in paper format from the Council's Customer Service Centre and in electronic format from Council's website.

ZUCCO
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Deputy Lord Mayor Burnet

23. City of Hobart and UTAS Governance Forum
File Ref: F19/70655

Ref: Open [FGC 6.7](#), 12/06/2019

- That:
1. The Council note the correspondence from the UTAS' Vice Chancellor, Professor Rufus Black.
 2. The Lord Mayor and General Manager be appointed to the City of Hobart and UTAS Governance Forum.
 3. The Chairmen of the City Planning Committee and the Finance and Governance Committee be appointed as members of the City of Hobart and UTAS Governance Forum.
 4. The Council write to the Vice Chancellor requesting consideration for the Chairman of the Economic Development and Communications Committee also being appointed to the City of Hobart and UTAS Governance Forum.

ZUCCO
SHERLOCK

That the recommendation be adopted.

AMENDMENT

DENISON
THOMAS

That Alderman Denison be appointed proxy representative for any Council nominee unable to attend.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That:
1. The Council note the correspondence from the UTAS' Vice Chancellor, Professor Rufus Black.
 2. The Lord Mayor and General Manager be appointed to the City of Hobart and UTAS Governance Forum.
 3. The Chairmen of the City Planning Committee and the Finance and Governance Committee be appointed as members of the City of Hobart and UTAS Governance Forum.

4. The Council write to the Vice Chancellor requesting consideration for the Chairman of the Economic Development and Communications Committee also being appointed to the City of Hobart and UTAS Governance Forum.
5. Alderman Denison be appointed proxy representative for any Council nominee unable to attend.

24. Local Government Association of Tasmania General Meeting Motions
File Ref: F19/72553

Ref: Open [FGC 12](#), 12/06/2019

- That:
1. In accordance with Attachment A to supplementary item 12 of the Open Finance and Governance Committee agenda of 12 June 2019, the Council endorse the motions recommended for support, to be considered at the Local Government Association of Tasmania General Meeting to be held on Wednesday 3 July 2019.
 2. The Council support the two motions relating to Climate Change to be considered at the Local Government Association of Tasmania General Meeting to be held on Wednesday 3 July 2019.

ZUCCO
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Item 26 was then taken.

PARKS AND RECREATION COMMITTEE

25. Trans and Gender Diverse Posters in Public Convenience Facilities
File Ref: F19/63097

Ref: Open [PRC 6.1](#), 6/06/2019

- That: 1. Trans and Gender diverse posters not be displayed on a permanent basis, however be included on an annual program of display in the City's public toilets.
2. The development and design of the posters to be in collaboration with relevant organisations including Women Speak Tasmania, Working it Out and Transforming Tasmania.

BRISCOE
BEHRAKIS

That the recommendation be adopted.

HARVEY
DUTTA

That Councillor Ewin be granted an additional two minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

PROCEDURAL MOTION

EWIN
SHERLOCK

That Part 1 of the recommendation be referred back to the Committee for further consideration.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

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

AMENDMENT

EWIN
BURNET

That in Part 2 of the recommendation the words "Women Speak Tasmania" be deleted and replaced with "Women's Health Tasmania".

PROCEDURAL MOTION

ZUCCO
DUTTA

That Part 2 of the recommendation be referred back to the Committee for further consideration.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

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

Item 9 was then taken.

26. Trial Installation of a Sanitary Product Vending Machine
File Ref: F19/63471

Ref: Open [PRC 6.2](#), 6/06/2019

- That: 1. The Council support a three month trial of the provision of free sanitary items in the Kemp Street public female toilets, through the installation of a Pinkbox Vending Machine.
- (i) The organisation Share the Dignity be engaged to provide, install and manage the Pinkbox Vending Machine during the trial period and to provide the City with usage data for consideration.
 - (ii) The cost of the trial program, estimated at \$11,500 be funded from the City Amenity Divisional Budget function.
 - (iii) A further report will be provided at the end of the trial to consider the future of this type of program
2. The City also promote, as an alternative option, the availability of free menstrual cups through the not-for-profit organisation StopPeriodPoverty.org
3. The Council write to the State and the Federal governments to lobby for the provision of menstrual products in all Tasmanian public schools.

BRISCOE
SHERLOCK

That the recommendation be adopted.

AMENDMENT

EWIN
HARVEY

That Part 1 (ii) of the recommendation be deleted.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That: 1. The Council support a three month trial of the provision of free sanitary items in the Kemp Street public female toilets, through the installation of a Pinkbox Vending Machine.
- (i) The organisation Share the Dignity be engaged to provide, install and manage the Pinkbox Vending Machine during the trial period and to provide the City with usage data for consideration.
 - (ii) A further report will be provided at the end of the trial to consider the future of this type of program

2. The City also promote, as an alternative option, the availability of free menstrual cups through the not-for-profit organisation StopPeriodPoverty.org
3. The Council write to the State and the Federal governments to lobby for the provision of menstrual products in all Tasmanian public schools.

27. Long Beach Reserve, Lower Sandy Bay - Draft Concept Plans - New Replacement Public Toilet Facilities
File Ref: F19/65415

Ref: Open [PRC 6.3](#), 6/06/2019

- That:
1. The Council endorse the concept plans, marked as Attachment A to item 6.3 of the Open Parks and Recreation Committee agenda of 6 June 2019, for the development of new replacement public toilets at Long Beach Reserve, Lower Sandy Bay to enable wider community engagement to be undertaken.
 2. A further report be provided following the community engagement seeking the Council's endorsement of the final plans to allow a development application to be lodged.

BRISCOE
THOMAS

That the recommendation be adopted.

AMENDMENT

ZUCCO
SHERLOCK

That a further report be provided considering the inclusion of showers within future public toilet developments and also a policy position relating to the provision of unisex rather than gender specific toilets.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That: 1. The Council endorse the concept plans, marked as Attachment A to item 6.3 of the Open Parks and Recreation Committee agenda of 6 June 2019, for the development of new replacement public toilets at Long Beach Reserve, Lower Sandy Bay to enable wider community engagement to be undertaken.
2. A further report be provided following the community engagement seeking the Council's endorsement of the final plans to allow a development application to be lodged.

3. A further report be provided that considers the inclusion of showers within future public toilet developments and also considers a policy relating to the provision of unisex toilets

28. Franklin Square Amenities Building - Proposal to Install Luggage Lockers

File Ref: F19/65613

Ref: Open [PRC 6.4](#), 6/06/2019

- That: 1. The proposal to provide luggage lockers for the travelling public be endorsed.
2. Approval be provided for the General Manager to enter negotiations with 'ezy Lockers' for a partnership facilitating the provision of lockers at Franklin Square on a revenue sharing arrangement.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

29. Resolutions Arising from the Public Meeting into the Cable Car Proposal - held 16 April 2019

File Ref: F19/65321

Ref: Open [PRC 6.5](#), 6/06/2019

- That: 1. The Council note the following resolutions of the Public Meeting held on 16 April 2019 in respect to the proposed cable car development for Mount Wellington:

- (i) This meeting calls on the State Government to:
 - (a) Respect the wishes of the local Aboriginal community;
 - (b) Respect the scenic and cultural value of the Organ Pipes;
 - (c) Respect the Wellington Park Management Plan;
 - (d) Ensure the protection of the threatened species living in the foothills of kunanyi/Mount Wellington;
 - (e) Rule out over-riding the rights of landowners and compulsorily acquiring land of the project.
- (ii) This meeting condemns the proposal for a large commercial building at the pinnacle and a cableway that would cross directly over the Organ Pipes cliffs.
- (iii) This meeting request that the Hobart City Council:
 - (a) Maintain its' prohibition of the use of Council land for such a project;
 - (b) Not provide monetary or any other support for this project or an associated infrastructure; and
 - (c) When sitting as a Planning Authority, recognise that neither a cable car nor a large building above the Organ Pipes are compatible with preservation or protection of the natural beauty of kunanyi / Mount Wellington.
- (iv) That the sponsors of this public meeting be entrusted to write to the Premier;
 - (a) Detailing the concerns around governance expressed during this meeting;
 - (b) Seeking assurances from the Premier that the State Government and its instrumentalities will act with these concerns and assurances foremost in their minds; and
 - (c) Requesting the Premier to meet from time to time with sponsors of this public meeting.
 - (v) This meeting calls on the Tasmanian Labor Party and Labor federal candidates to oppose any kind of cable car development, and also to oppose any kind of commercial development at or near the summit of kunanyi / Mount Wellington.

2. In response to the resolutions passed, the Council write to the Premier and the Tasmanian branch and the national office of the Australian Labor Party advising the resolutions of the public meeting.
3. The Council write to the Tasmanian Greens advising the resolutions of the Public Meeting.

BRISCOE
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

30. Proposed Council Policy - Public Open Space Contribution
File Ref: F19/65038

Ref: Open [PRC 6.6](#), 6/06/2019

That the Draft Council Policy 'Public Open Space Contributions', marked as Attachment A to item 6.6 of the Open Parks and Recreation Committee agenda of 6 June 2019, be approved.

BRISCOE
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

31. New Town Sports Precinct Master Plan - Community Consultation Outcomes
File Ref: F19/55484

Ref: Open [PRC 6.7](#), 6/06/2019

- That: 1. The New Town Sporting Precinct Master Plan, dated 29 May 2019 and marked at Attachment A to item 6.7 of the Open Parks and Recreation Committee agenda of 6 June 2019, be approved as a tool for guiding the future planning and development of the precinct.
2. The following actions in the Implementation Plan be progressed:
- (i) The City continue to monitor the potential for any future site options and the feasibility for relocating the New Town Croquet Club;
 - (ii) The City undertake a local area traffic management plan, including an initial assessment of the potential benefits or implications arising from implementation of the Master Plan;
 - (iii) Sporting clubs initiate feasibility assessments for the proposed new sports facilities within the precinct;
 - (iv) The City and the clubs seek funding support and grants to support implementation of the Master Plan on a staged basis; and
 - (v) Should funding become available for the project, the City take a lead role in facilitating the staged implementation of the Master Plan.

3. The City undertake development of a local area traffic management plan and progress additional planning for the site, at an estimated cost of \$50,000 to be funded within Parks and Recreation Management Function within the 2019-20 Annual Plan.
4. The City continue to work with stakeholders in the management of the site.

BRISCOE
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

32. Maritime Museum of Tasmania - Proposal to Install the Anchor of the Lake Illawara at the City's Tasman Bridge Disaster Place of Reflection
File Ref: F19/55493

Ref: Open [PRC 6.8](#), 6/06/2019

That the Council decline the proposal from the Tasmanian Maritime Museum to install the anchor of the wreck of the Lake Illawarra at the City's Tasman Bridge Disaster place of reflection site, which honours the victims of the tragedy.

- (i) The City continue to work with the Museum to identify other potential sites that may be more suitable.
- (ii) The City advise those families contacted in relation to the proposal of the Council's decision.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

33. 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
- Tender for the supply of goods; and
- Information of a commercial 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 City Hall Master Plan LG(MP)R 15(2)(c)(i)
Item No. 7	Contract Variation - Degraeves Street Rivulet Wall Reconstruction LG(MP)R 15(2)(d)
Item No. 8	Bad Debt Write-Off - Paul Paxton LG(MP)R 15(2)(g)
Item No. 9	Sandy Bay Bathing Pavilion, Lower Sandy Bay - Redevelopment LG(MP)R 15(2)(b)

BURNET
ZUCCO

That the recommendation be adopted.

MOTION CARRIED
BY ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

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

The Chairman adjourned the meeting at 7.05pm pm for a comfort break.

The meeting was reconvened at 7.19pm.

There being no further business the meeting closed at 8.52pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
8TH DAY OF JULY 2019.

CHAIRMAN