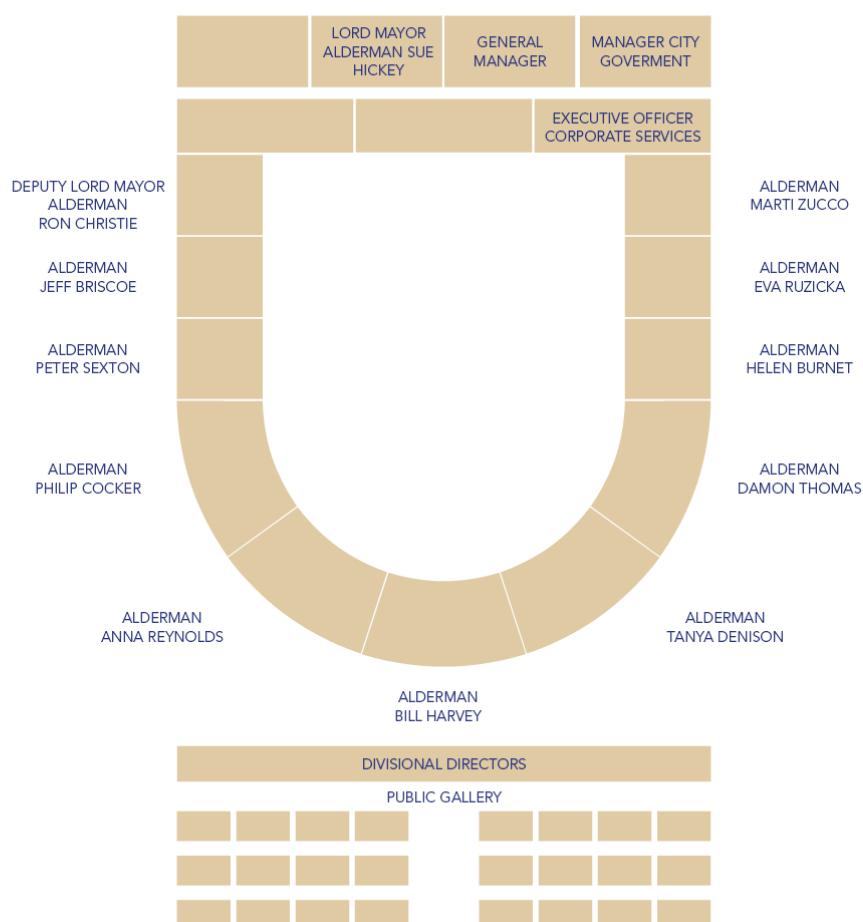




CITY OF HOBART

OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 24 APRIL 2017
AT 5.00 PM





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A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 24 APRIL 2017 AT 5.00 PM.

**Heather Salisbury
Acting General Manager**

ALDERMEN:

Lord Mayor Hickey
Deputy Lord Mayor Christie
Alderman Zucco
Alderman Briscoe
Alderman Ruzicka
Alderman Sexton
Alderman Burnet
Alderman Cocker
Alderman Thomas
Alderman Reynolds
Alderman Denison
Alderman Harvey

APOLOGIES: Nil

LEAVE OF ABSENCE:

Alderman Briscoe

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 April 2017](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

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*?

3. COMMUNICATION FROM THE CHAIRMAN

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

6. PETITIONS

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*.

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 conflict 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.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

9.1 15 Marieville Esplanade, Sandy Bay - Partial Demolition, Alterations and Extension to Storage Lockers PLN-16-1199 - File Ref: F17/33455

Ref: Open [CPC 7.1.1](#), 10/4/2017
Application Expiry Date: 29 May 2017
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension to storage lockers at 15 Marieville Esplanade, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 10 April 2017, 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-16-1199 - 15 MARIEVILLE ESPLANADE SANDY BAY TAS 7005 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting

from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

A photographic record of the Council 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 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 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 such time as all disturbed area have been stabilised and/restored.

A soil and water management plan (SWMP) must be submitted and approved prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008) and all work must be undertaken in accordance with this condition and the approved soil and water management plan (SWMP).

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

Once the soil and water management plan (SWMP) has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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.

ENVHE 1

Recommendations in the report 'Environmental Site Assessment, Royal Yacht Club of Tasmania, 15 Maryville Esplanade Sandy Bay, February 2017' and the associated 'Contamination Management Plan, Royal Yacht Club of Tasmania, Sandy Bay, February 2017' prepared by Geo-Environmental Solutions P/L, 86 Queen St, Sandy Bay) must be implemented.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

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 www.hobartcity.com.au 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

Building permit in accordance with the *Building Act 2000*;

<http://www.hobartcity.com.au/Development/Building>

PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

9.2 8 Hamilton Street, West Hobart - Partial Demolition, Extension and Alterations
PLN-17-57 - File Ref: F17/33624

Ref: Open [CPC 7.1.2](#), 10/4/2017
Application Expiry Date: 25 April 2017
Extension of Time: Not applicable

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition, Extension and Alterations at 8 Hamilton Street, West Hobart for the following reason:

1. The proposed extensions, by reason of the degree to which they would build over the rear garden space and the subsequent removal of the gap between buildings provided by the garden space would have a detrimental impact upon those features which contribute to the historic cultural significance of the Inner West Hobart Heritage Precinct (WH2) as set out in table E.13.2 of the *Hobart Interim Planning Scheme 2015*, contrary to E13.8 Development Standards for Heritage Precincts, in particular E13.8.2 – ‘Buildings and Works other than Demolition’.

10. Smoke Free Intercity Shared Pathway
File Ref: F17/23619

Ref: Open [CPC 8.1](#), 10/4/2017

That the Council issue a formal letter of support to the Glenorchy City Council for lobbying the State Government to declare the Intercity Shared Pathway as a smoke free public area.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

**11. Release of Documents regarding North Melbourne Football Club Funding
Decision of 23 January 2017
File Ref: F17/33236; 13-1-9**

Ref: Open [CCEC 7.1](#), 5/4/2017

Alderman Reynolds

Motion

“Council authorises the release of the report only that informed the decision made in the Open Council meeting on 23 January, relating to the funding of the North Melbourne Football.”

Rationale:

“Discussion about this item was moved from the closed agenda to the open agenda, but the report and the application request from North Melbourne football are still closed items because Council did not make a specific decision about the documents at the time.

While the public can see the Council's decision on this matter, it is not able to see the report and related documents that informed this funding decision.

Under Section 15(9) of the Local Government (Meeting Procedures) Regulation 2015, if Council has discussed the matter in an open meeting, it can also authorise the release of any related report or document to the public as part of that decision.

Section 15(8) requires Council, in a closed meeting, to consider whether to release any discussions, decisions, reports or documents relating to the meeting to the public.

There was no discussion or decision at the 23 January meeting about whether to release the documents that informed this decision, even though the actual item and final decision was moved into the open meeting. This was an oversight and Council can now authorise the release of the documents that informed its decision.”

The Acting 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 the North Melbourne Community Engagement Partnership was considered by the Community Culture and Events Committee in the closed portion of the meeting.

The basis for this was that the partnership submission was provided to the Council as a commercial-in-confidence proposal, subject to ongoing stakeholder and funding partner discussions. The North Melbourne Football Club has informed the Council that its position in relation to its proposal remains unchanged; and its preference is that the Community Engagement Partnership 2017-2019 Submission remains commercial in confidence between the North Melbourne Football Club and the City of Hobart.”

COMMUNITY, CULTURE AND EVENTS COMMITTEE

**12. Five Year Review of Salamanca Market Stallholder Licence Agreement
File Ref: F17/4549; 15/153-53**

Ref: Open [CCEC 6.1](#), 5/4/2017

- That:
1. The draft 2017-2022 Salamanca Market Stallholder Licence Agreement marked as Attachment A to item 6.1 of the Open Community, Culture and Events Committee agenda of 5 April 2017, be endorsed by the Council.
 2. The endorsed draft 2017-2022 Salamanca Market Stallholder Licence Agreement be distributed to all licensed Salamanca Market Stallholders and the Salamanca Market Stallholders' Association for review and comment.
 3. Upon receipt of comments from all licensed Salamanca Market Stallholders and the Salamanca Market Stallholders' Association, the final draft 2017-2022 Salamanca Market Stallholder Licence Agreement be the subject of a further report to the Council for final approval.

**13. Digital Urban Screen - Elizabeth Street Forecourt of the University of Tasmania Residential Complex
File Ref: F17/27295; S30-001-13/08-002**

Ref: Open [CCEC 6.2](#), 5/4/2017

- That:
1. The Council approve the purchase of a large LED screen for installation in the Elizabeth Street forecourt of the University of Tasmania Student Housing complex, at an estimated cost of \$83,000, to be funded from the existing Property Plant and Equipment allocation for Public Art within the 2016-17 Annual Plan.
 2. The purchase be subject to receipt of planning approval for the screen to be installed in the proposed location.
 3. The Council write to the Vice-Chancellor of the University of Tasmania and request a contribution to the capital cost of the digital urban screen.

**14. Community Development Grants Program - Recommendations -
February 2017 Round
File Ref: F17/30548; 16/194**

Ref: Open [CCEC 6.3](#), 5/4/2017

- That: 1. The Council approve the recommended level of funding to the respective applicants for assistance under the 2017-18 Community Development Grants Program under the streams of Creative Hobart, Community and Events as outlined below:
- (i) The projects recommended for full funding from the February round of the Community Development Grants Program as detailed in Table 1 of Attachment A to item 6.3 of the Open Community, Culture and Events Committee agenda of 5 April 2017.
 - (ii) The projects recommended for co-funding from the February round of the Community Development Grants Program as detailed in Table 2 of Attachment A to item 6.3 of the Open Community, Culture and Events Committee agenda of 5 April 2017.
 - (iii) The projects recommended for partial funding from the February round of the Community Development Grants Program as detailed in Table 3 of Attachment A to item 6.3 of the Open Community, Culture and Events Committee agenda of 5 April 2017.
 - (iv) The projects listed in Table 4 of Attachment A to item 6.3 of the Open Community, Culture and Events Committee agenda of 5 April 2017 are not recommended for funding.
2. The value of the recommended projects is \$53,021 for Creative Hobart Medium and Small Grants, \$28,539 for Community Grants and \$34,123 for Event Grants.
3. The funding for the grants be attributed to the respective Community Development Policy Management, Cultural Programs and Major Events and Grant Funding activity in the 2017-18 Annual Plan.
4. Applicants be advised accordingly.
5. The total grant provision be recorded in the 'Grants, Assistance and Benefits Provided' section of the City of Hobart's Annual Report.

15. UNESCO Creative Cities Network - International City of Literature
File Ref: F17/31661; S15-008-09; S14-001-01

Ref: Open [CCEC 6.4](#), 5/4/2017

That the Council not submit an application in June 2017 to become a UNESCO City of Literature, but allow six months to research, consult with stakeholders, develop partnerships, formulate a budget and create a steering committee, to evaluate the best option of either:

1. Preparing an application for June 2018 to become a member of the ongoing UNESCO City of Literature Network; or
2. Preparing an application to be the UNESCO World Book Capital in 2021, a one year program with applications closing in March 2019.

16. City of Hobart Art Prize Review - Options Paper
File Ref: F17/27753; 16/210

Ref: Open [CCEC 6.5](#), 5/4/2017

- That:
1. The City of Hobart Art Prize Review Options Paper be made publicly available and submissions invited from the public in response to the Options Paper.
 2. The Review continue into a final round of community engagement including discussions with arts and cultural organisations about the potential to partner if the Council was to revise or replace the Art Prize.

17. Cultural and Creative Industries Bill 2017
File Ref: F17/32449; S15-008-09

Ref: Open [CCEC 6.6](#), 5/4/2017

That given the need to submit a formal response to the Department of State Growth by 31 March 2017, the Council endorse the submission to the Tasmanian Government on the *Cultural and Creative Industries Bill 2017*, which was sent by the Acting General Manager on 31 March 2017, and marked as Attachment B to item 6.6 of the Open Community, Culture and Events Committee agenda of 5 April 2017.

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE
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18. 65th Multi-District Lions Convention 2017 - fee waiver installation of civic banners

File Ref: F17/36429

Ref: Special Open [EDCC 4.1](#), 24/4/2017

A recommendation will be submitted to the meeting.

FINANCE COMMITTEE

19. Related Party Disclosures

File Ref: F17/32407

Ref: Open [FC 6.1](#), 11/4/2017

That the Council adopt the draft policy titled 'Related Party Disclosures', marked as Attachment A to item 6.1 of the Open Finance Committee agenda of 11 April 2017.

20. Investment of Council Funds - South Hobart and Foothills Community Bank

File Ref: F17/33556

Ref: Open [FC 6.2](#), 11/4/2017

- That:
1. The Council pledge to purchase \$50,000 worth of shares to assist with the establishment of the South Hobart and Foothills Community Bank.
 2. The Council show further support by way of linking the \$2 million dollars currently invested with the Bendigo Bank together with any future cash investments in that institution to the South Hobart and Foothills Community Bank.

The Acting General Manager advises that an absolute majority vote is required to adopt this recommendation – pursuant to Regulation 18 of the *Local Government (Meeting Procedures) Regulations 2015*.

21. Review of Credit Card Surcharge

File Ref: F17/28582

Ref: Open [FC 11](#), 11/4/2017

- That:
1. The 1 percent credit card surcharge currently applied to payments made by credit card, including point of sale transactions, in areas of Council except the Tasmanian Travel and Information Centre be discontinued, effective from 1 July 2017.
 2. That a credit card payment limit for the payment of Council rates be re-introduced at the level of \$3,000 per transaction.
 3. The Lord Mayor to advise the community of the change to the credit card surcharge through an appropriate media release.
 4. A review be conducted in 12 months' time to ascertain the cost incurred by Council in relation to credit card payment charges.

GOVERNANCE COMMITTEE

22. Targeted Review of the Local Government Act 1993
File Ref: F17/37771

Ref: Special Open [GC 4.1](#), 24/4/2017

A recommendation will be submitted to the meeting.

PARKS AND RECREATION COMMITTEE

23. Council Policy 'Establishment of Bushfire Hazard Management Areas in Bushland Reserves for New Developments on Adjoining Properties' - Proposed Amendment

File Ref: F17/29950; 16/360

Ref: Open [PRC 6.1](#), 6/4/2017

That the Council policy titled 'Establishment of Bushfire Hazard Management Areas in Bushland Reserves for New Developments on Adjoining Property' be amended, as marked in Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 6 April 2017.

24. Queens Domain Advisory Committee - Proposed Amendment to Function and Membership

File Ref: F17/30210

Ref: Open [PRC 6.2](#), 6/4/2017

That: 1. The Queens Domain Advisory Committee be renamed the Queens Domain Network.

2. The function and membership of Queens Domain Network be amended from a limited membership, advisory committee, to a broader stakeholder reference and networking group.

3. The function of the Network be as follows:

(i) To serve as an identified stakeholder forum for the City to engage on proposed changes to substantive use, development (including both new developments/facilities and upgrades/modifications to existing) in relation to the Queens Domain;

(ii) To serve as an identified stakeholder forum in relation to relevant planning scheme matters and on proposals (either from the City or third parties) expected to be lodged as development applications, or to be advised of advertised development applications within or adjacent to the Queens Domain;

(iii) To allow for the engagement or notification of matters, that may be provided out-of-session, as need may arise;

4. A forum of the Network stakeholders be held at least biannually, to discuss current issues and consider longer term proposals under consideration and/or brief on activities/changes recently introduced.

5. Stakeholders of the Network be as follows:

- (i) A Council Alderman (Chairman of the Parks and Recreation Committee);
 - (ii) Relevant City of Hobart Officers;
 - (iii) Representative of the Doone Kennedy Hobart Aquatic Centre;
 - (iv) Representatives of the various land owners and organisational tenants, including, but not limited to:
 - (a) Royal Tasmanian Botanical Gardens;
 - (b) Government House;
 - (c) Crown Land/Parks and Wildlife;
 - (d) University of Tasmania;
 - (e) Domain Tennis Centre.
 - (v) Representatives of user groups/bodies that utilise facilities and open spaces, including, but not limited to:
 - (a) Representatives of Friends of Soldiers Memorial Avenue;
 - (b) Cricket Tasmania;
 - (c) Athletics Tasmania;
 - (d) Athletics South;
 - (e) Central Region Junior Soccer Association;
 - (f) Hobart Football Club;
 - (g) North Hobart Cricket Club;
 - (h) DOSA Football Club;
 - (i) Hobart Dog Walking Association;
 - (j) Hobart Canine Obedience Club;
 - (k) RSL Tasmania;
 - (l) Hobart Regatta Association;
 - (m) Swimming Tasmania.
 - (vi) Representatives of adjacent neighbourhood bodies including, but not limited to:
 - (a) Glebe Residents Association.
6. An open process of nomination from relevant groups be undertaken to ensure stakeholders are given an opportunity to participate in the forum.
7. A review of the Network's operation, function and terms of reference be undertaken after 12 months of operation.

**25. Request for Extension of Lease - Telstra Telecommunication Tower -
Sandown Park, Sandy Bay
File Ref: F17/30107; 5601657**

Ref: Open [PRC 6.3](#), 6/4/2017

- That:
1. The Council approve a new lease to Telstra for the site of the telecommunications tower located at Sandown Park, Sandy Bay for a ten (10) year period with two (2) further five (5) year options.
 2. The addition of any further infrastructure relating to the tower be considered by the Council at the time of application.
 3. The General Manager be authorised to negotiate the terms of the new lease agreement.
 4. Pursuant to Section 178 of the *Local Government Act 1993*, notice be provided of the Council's decision, in writing and within 7 days of the decision, to those parties that lodged an objection including rights of appeal under the Act.

FINANCE COMMITTEE
THE COMMITTEE CONCURS

JOINT MEETING

26. Capital Works Program 2017-2018 and 10 Year Plan

File Ref: F17/23439; 16/295

Ref: Special Open [JOINT CIC, CPC, FC, CCEC & PRC 4.1](#), 11/4/2017

- That:
1. The Council endorse the draft Capital Works Program for 2017/2018 as shown in Attachment A to item 3.1 of the Special Joint City Infrastructure, City Planning, Finance, Community, Culture and Events and the Parks and Recreation Committees agenda of 11 April 2017.
 2. Officers to begin programming the design and delivery of the program for the next financial year.
 3. The Council endorse the draft 3 and 10 year Capital Works Program for 2017/2018 to 2026/2027, as shown in Attachments B and C to item 3.1 of the Special Joint City Infrastructure, City Planning, Finance, Community, Culture and Events and the Parks and Recreation Committees agenda of 11 April 2017, as a guide for officers to prioritise project development work, with a specific focus on the next 3 financial years.
 4. The Council approve the General Manager to approach the Federal Government and seek additional funding to support the completion of Project AP18 – Tasman Highway Shared Bridge as listed in Attachment A to item 3.1 of the Special Joint City Infrastructure, City Planning, Finance, Community, Culture and Events and the Parks and Recreation Committees agenda of 11 April 2017.
 5. Inclusion of appropriate cycling and pedestrian facilities and street trees be considered as part of all road reconstruction projects.

27. CLOSED PORTION OF THE MEETING

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 | 6 Washington Street - Lease Agreement
LG(MP)R 15(2)(f) |
| Item No. 7 | 3 Wilks Road, Lenah Valley
LG(MP)R 15(2)(c)(i) |
| Item No. 8 | Goulburn Street Car Park - Sale to Housing Tasmania
LG(MP)R 15(2)(f) |
| Item No. 9 | Purchase of 18 McKellar Street, South Hobart
LG(MP)R 15(2)(f) |
| Item No. 10 | Cornelian Bay Reserve - Proposed Commercial Application for an Accommodation Facility
LG(MP)R 15(2)(b), (c)(i) and (f) |