



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 20 NOVEMBER 2017
AT 5.00 PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Alderman S L Hickey, Deputy Lord Mayor R G Christie, Aldermen M Zucco, J R Briscoe, E R Ruzicka, P T Sexton, H C Burnet, P S Cocker, D C Thomas, A M Reynolds, T M Denison and W F Harvey.

Alderman Briscoe left the meeting at 5.26 pm after declaring an interest in item 9.3 and returned at 5.28 pm.

Alderman Briscoe left the meeting at 5.37 pm after declaring an interest in item 10 and returned at 6.05 pm.

Alderman Zucco left the meeting at 5.40 pm after declaring an interest in item 10 and returned at 6.05 pm.

Alderman Sexton retired from the meeting at 6.05 pm and was not present for items 11-17 inclusive.

Alderman Thomas left the meeting at 6.20 pm and returned at 6.21 pm.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

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

CHRISTIE
RUZICKA

That the minutes be signed.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

A Naval coin was presented to the Deputy Lord Mayor when he received the Commander of the HMAS Huon Lieutenant Commander Jason Mullen, RAN on Thursday 2 November 2017.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015, the General Manager reports that the following workshops have been conducted since the last ordinary meeting of the Council.

Date: 8/11/2017
Purpose: Hobart Local Provision Schedule – Tasmanian Planning Scheme.

Date: 14/11/2017
Purpose: Investment of Council Funds and Borrowing Policy Review.

5. PUBLIC QUESTION TIME

No questions were received.

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 Briscoe - item 9.3.
2. Alderman Briscoe - item 10.
3. Alderman Ruzicka - item 16.
4. Alderman Thomas - item 16.

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 3 - 4 Montgomery Court, Sandy Bay - Multiple Dwellings (Re-Advertised - Amended Proposal) PLN-16-1243 - File Ref: F17/148738

Ref: Open [CPC 7.1.1](#), 13/11/2017
Application Expiry Date: 20 December 2017
Extension of Time: Not applicable

That: Pursuant to the Hobart Interim Planning Scheme 2015, the Council refuse the application for multiple dwellings at 3-4 Montgomery Court, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.1 A1 and P1(a) of the Hobart Interim Planning Scheme 2015 in that the proposal does not contribute to a range of dwelling types and sizes appropriate to the locality, or provide for a specific accommodation need, such as aged care, special needs or student accommodation.
2. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.2 A3 and P3 of the Hobart Interim Planning Scheme 2015 in that the siting and scale of the proposal causes an unreasonable loss of amenity by:
 - (i) Resulting in a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;

- (ii) Resulting in overshadowing of the private open space of a dwelling on an adjoining lot;
- (iii) Resulting in visual impacts caused by the apparent scale, bulk and proportions of the proposal when viewed from an adjoining lot;
- (iv) Not providing separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

BRISCOE
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**9.2 88 Augusta Road, Lenah Valley - Partial Demolition and Multiple Dwelling
PLN-17-702 - File Ref: F17/147728**

Ref: Open [CPC 7.1.2](#), 13/11/2017
Application Expiry Date: 21 November 2017
Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition and Multiple Dwelling at 88 Augusta Road, Lenah Valley for the reasons outlined in the officer's attached to item 7.1.2 of the Open City Planning Committee agenda of 13 November 2017 report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-702 - 88 AUGUSTA ROAD LENA VALLEY TAS 7008 - 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 2017/01518-HCC dated 29/09/2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition.

The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

Advice:

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 can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

ENG 4

The circulation roadway, car parking and turning areas, must be constructed in accordance with Australian Standards AS/NZS 2890.1 and to a sealed standard, and surface drained prior to the first occupation.

Advice:

Please note that this condition does not encompass the driveway access, which has been approved under performance criteria with pedestrian sight distances that do not comply with AS/NZS 2890.1.

Reason for condition

To ensure the safety of users of the car parking areas.

ENG 1

The cost of repair of any damage to the Council's 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'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. Sediment controls must be maintained until all areas of disturbance have been stabilized or re-vegetated.

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

Reason for condition

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

ADVICE

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

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

BUILDING PERMIT

Building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

Discretionary Planning Permit issued pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

Plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

STORM WATER

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

WORK PLACE HEALTH AND SAFETY

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

NOISE REGULATIONS

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

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.

BRISCOE
DENISON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

Alderman Briscoe declared an interest in item 9.3 and left the meeting.

9.3 64-66 Molle Street, Hobart - Partial Demolition, Alterations and Extensions

PLN-17-657 - File Ref: F17/148451

Ref: Open [CPC 7.1.3](#), 13/11/2017

Application Expiry Date: 20 November 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 extensions at 64-66 Molle Street, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

GEN

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-657 - 64-66 MOLLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 15

A demolition waste management plan must be implemented throughout demolition. The demolition waste management plan must include provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

Advice:

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 can also be found on the Council's [website](#).

Reason for condition

To ensure that solid waste management from the site meets the Council's requirements and standards.

PLN 3

The siting of the communal waste bins storage area must be altered to improve pedestrian access and residential amenity. The storage area must be setback a minimum 1.5m from the building. The altered storage area, including the 1.2m high screening, must be installed prior to first occupation.

Advice:

A 120 litre waste bin occupies an area of 0.46m by 0.52m and 0.9m high; and a 140 litre recycle bin (rather than the normal 240 litre) occupies an area of 0.53m by 0.62m and 0.92m high.

Reason for condition

To ensure that the rubbish bins do not impact on the amenity of the residents and locality, and to ensure compliance with the outdoor storage standards in the *Hobart Interim Planning Scheme 2015*.

PLN s2

The height of the extension must be reduced by 0.5m from that shown on the submitted plan Elevations (8 of 10 dated 21 September 2017).

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the height of the building extension reduced by 0.5m to satisfy the above requirement.

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

Reason for condition

To provide reasonable amenity for occupants of the dwellings and adjacent neighbours.

ENG 1

The cost of repair of any damage to the Council's 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'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. Sediment controls must be 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 10

The dimensions of the four new windows facing Molle Street must be changed to have more traditional proportions. This condition relates to the three windows facing Molle Street and the window in the new dormer also facing Molle Street.

Prior to the issuing of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the following:

1. The three sash windows on the ground floor facing Molle Street having the proportions where the width is 6/10ths of the height of the window. E.g. for a window that is 1200mm high, it must be 720mm wide.
2. The sash window of the new front dormer window is also of the proportion where its width is 6/10ths of its height.

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

Reason for condition

To ensure that development in the form of new windows on a heritage place and in a heritage precinct is undertaken in a sympathetic manner that does not cause loss of historic cultural heritage values.

HER 11

The rear eaves of the c.1840s house must be retained in an original form and the proposed rear extension must be set away from the rear wall of the original house by 400mm. This condition applies to that upper section of the wall shown in plan drawing 8 of 10 of the north east highlight windows only.

Prior to the issuing of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the wall with the north east highlight windows set away from the original house by 400mm to clear the eaves of the original house to satisfy the above requirement.

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

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 8

All early and original heritage fabric removed from the subject property is to be protected and reused.

Prior to the issuing of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing how bricks removed from the two internal walls and chimneys, early and original floor boards and timbers and sandstone slabs are to be reused on the subject property.

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

Reason for condition

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

HER 3

No signs are approved as part of this permit.

Reason for condition

To ensure any new signs satisfy the relevant standards for signs on heritage places and in heritage precincts.

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

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

Discretionary Planning Permit issued pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

Plumbing permit in accordance with the *Building Act 2016, Building Regulations*

2016 and the National Construction Code. Click [here](#) for more information.

STORM WATER

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

WORK PLACE HEALTH AND SAFETY

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

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.

DENISON
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.4 233 - 235 Liverpool Street, Hobart - Multiple Dwellings and Business and Professional Services
PLN-17-703 - File Ref: F17/148686

Ref: Open [CPC 7.1.4](#), 13/11/2017

Application Expiry Date: 4 December 2017

Extension of Time: Not applicable

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Multiple Dwellings and Business and Professional Services at 233 - 235 Liverpool Street, Hobart for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 13 November 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-17-703 - 233-235 LIVERPOOL STREET 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 2017/01516-HCC dated 28 September 2017 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 17

Prior to first occupation, external lighting to illuminate car parking areas and pedestrian paths must be provided in accordance with AS/NZS 1158.3.1:2005 Lighting for Roads and Public Spaces. Prior to the first occupation, the external lighting must operate in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.

Reason for condition

To ensure that building design provides for the safety of the public and to ensure that parking and vehicle circulation roadways and pedestrian paths used outside daylight hours are provided with lighting to a standard which

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

ENG SW4

The new stormwater connection must be constructed at the owner's expense and all existing connections abandoned and sealed by Council at the owner's expense, prior to the issue of any approval under the *Building Act 2016*.

Advice:

A stormwater service connection must be approved by Council's City Infrastructure Unit prior to construction of the stormwater service connection. A road opening permit may also be required if the stormwater service connection works will be undertaken within the highway reservation. Please contact Council's City Infrastructure Unit to initiate an application for a stormwater service connection and obtain a Road Opening Permit (if required).

Reason for condition

To ensure the site is drained adequately.

ENG SW6

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation.

Reason for condition

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

ENG 5

The number of car parking spaces approved on the site is five (5). Car parking space P01 must be 2.4m wide. 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 first occupation.

Reason for condition

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

ENG 8

The use of the car parking spaces is restricted to User Class 1A (residential, domestic and employee parking) in accordance with Australian Standards AS/NZS2890.1:2004 Table 1.1.

Prior to first occupation, a sign approved by the Council and in accordance with Australian Standards AS/NZS1742.11:2016, must be erected at the entry of the parking access to indicate the parking area is for residents only.

Reason for condition

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

ENG 1

The cost of repair of any damage to the Council's 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'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 S1

The burdening stormwater easement shown on drawing 1714-202 must be expunged from title 9273/2 prior to commencement of works.

Advice:

Approval for alternative stormwater disposal from title 9273/1 is likely to be required under the Building Act 2016 in order to obtain the relevant consent to allow the stormwater easement to be expunged.

Reason for condition

To ensure that the site is adequately drained

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. Sediment controls must be 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 6

The removal of the existing hard standing and any associated concrete slab must be monitored by a suitably qualified archaeologist. Should any features or deposits of an archaeological nature be discovered on the site prior to or during excavation or disturbance, all excavation and/or disturbance must stop immediately; and:

1. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and,
2. All and any recommendations made by the archaeologist engaged in accordance with (1) above must be complied with in full; and,
3. All features and/or deposits discovered must be reported to the Council with three (3) days of the discovery; and,
4. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with paragraph (1) above must be provided to the Council within 15 days of receipt of the advice, assessment and recommendations.

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

Reason for condition

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

ADVICE

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

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

USE

This permit gives approval for the area marked as "commercial tenancy" on the approved floor plan to be used for a use within the Business and Professional Services Use Class of the *Hobart Interim Planning Scheme 2015*. The permit is issued on the basis that the use of this part of the building would comply with the acceptable solutions for the relevant Use Standards for the Central Business Zone. These standards include hours of operation, noise, external lighting, and commercial vehicle movements. Any use of the site that does not comply with the acceptable solutions for the Use Standards requires further approval. Any use of the site other than that within the Residential Use Class or the Business and Professional Services Use Class may require further approval. It is recommended that any potential users of the site check with the Council regarding the requirement for further approval before commencement of use.

FRONT FACADE

The developer is encouraged to consider incorporating a greater degree of articulation, detailing, range of materials and outward expression of each floor level within the building's front facade, and to consider an alternative finish, materials or colouration to the building's north east facing return elevation within 15m of the front boundary line. For further advice, please contact the Council's Cultural Heritage Officer on 6238 2457.

BUILDING PERMIT

Building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

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

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

Occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. Click [here](#) for more information.

Road closure permits for construction or special event. Click [here](#) for more information.

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

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

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

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the consent in accordance with section 74 of the *Building Act 2016*.

NEW SERVICE CONNECTION

New service connection (please contact the Hobart City Council's City Infrastructure Division to initiate the application process).

STORM WATER

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

WORK WITHIN THE HIGHWAY RESERVATION

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

WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment [website](#).

WORK PLACE HEALTH AND SAFETY

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

PROTECTING THE ENVIRONMENT

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

NOISE REGULATIONS

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

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.

BRISCOE
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.5 22 Norfolk Crescent - Multiple Dwelling - PLN-17-272
File Ref: F17/147501

Ref: Open [CPC 7.1.5](#), 13/11/2017

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a multiple dwelling at 22 Norfolk Crescent Sandy Bay for the reasons outlined in the officer's report dated 17 August 2017, marked as Attachment A to item 7.1.5 of the Open City Planning Committee agenda of 13 November 2017 and on the following ground:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.4.1 A1 and P1 of the Hobart Interim Planning Scheme 2015 because (a) the proposed density is not compatible with the density of the surrounding area; and (b) the proposed multiple dwelling does not provide for a significant social or community housing benefit.

BRISCOE
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.6 Hobart Interim Planning Scheme 2015 - Sullivans Cove Planning Scheme 1997 - Royal Hobart Hospital Helipad Airspace - Proposed Amendments
File Ref: F17/145163; 17/167

Ref: Open [CPC 7.2.1](#), 13/11/2017

- That: 1. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-17-6 Amendment to the Hobart Interim Planning Scheme 2015 be modified as shown in Attachment B to item 7.2.1 of the Open City Planning Committee agenda of 13 November 2017, prior to final approval.
2. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-17-7 Amendment to the Sullivans Cove Planning Scheme 1997 be approved as certified.

BRISCOE
SEXTON

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Aldermen Zucco and Briscoe declared an interest in item 10 and left the meeting.

10. Visitor Accommodation - Residential Research - Residential Development Incentives

File Ref: F17/145718; 32-13-4

Ref: Open [CPC 8.1](#), 13/11/2017

- That: 1. The City of Hobart facilitate and chair a round table discussion with representatives from various organisations, including but not limited to Shelter Tasmania, Housing Tasmania, the Real Estate Institute of Tasmania, the Tenants' Union of Tasmania, the University of Tasmania and major employers within the City of Hobart, to identify gaps in the data required to better understand the housing market and in particular rental needs and demand and the impact of visitor accommodation, and investigate practical ways to move forward in relation to visitor accommodation and the supply of housing.
2. The Council defer any decision to pursue the sale and redevelopment of any Council properties identified on Attachment E of the Open City Planning Committee agenda of 13 November 2017, until a future point in time.
3. The Council provide a summary of the issues discussed in this report to the major political parties in Tasmania for consideration.

DENISON
THOMAS

That the recommendation be adopted.

AMENDMENT

COCKER
REYNOLDS

That the invitation to participate in the round table discussion as outlined in clause 1, be extended to the following:

- (i) Professor Peter Phibbs, Senior Lecturer, University of Sydney; and
- (ii) The State Architect, in the event that the position was to be reinstated.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

AMENDMENT

COCKER
REYNOLDS

That the Council conduct a feasibility study on available sites or buildings owned by the City of Hobart, which may be suitable for development as a high quality affordable housing demonstration project.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That: 1. The City of Hobart facilitate and chair a round table discussion with representatives from various organisations, including but not limited to Shelter Tasmania, Housing Tasmania, the Real Estate Institute of Tasmania, the Tenants' Union of Tasmania, the University of Tasmania, Professor Peter Phibbs Senior Lecturer, University of Sydney, the State Architect, in the event the position was to be reinstated, and major employers within the City of Hobart, to identify gaps in the data required to better understand the housing market and in particular rental needs and demand and the impact of visitor accommodation, and investigate practical ways to move forward in relation to visitor accommodation and the supply of housing.
2. The Council defer any decision to pursue the sale and redevelopment of any Council properties identified on Attachment E of the Open City Planning Committee agenda of 13 November 2017, until a future point in time.
3. The Council conduct a feasibility study on available sites or buildings owned by the City of Hobart, which may be suitable for development as a high quality affordable housing demonstration project.
4. The Council provide a summary of the issues discussed in this report to the major political parties in Tasmania for consideration.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

**11. Code of Conduct Clarification
File Ref: F17/150023**

RUZICKA
BURNET

That the motion be considered urgent.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

Motion:

That the General Manager prepare an urgent report that advises the Council on:

1. The legal principles that underpin Part 1 of the Aldermanic Model Code of Conduct relating to Decision Making and bringing an open mind to decision making (bias);
2. The requirements that Aldermen should follow in order to determine if they have a conflict of interest pursuant to Part 2 of the Aldermanic Code of Code and in particular how the 'materiality' test should be applied under Part 2 - 6 of the Code;
3. The impact any breach of the above Parts of the Code may have on any decision taken by the Council; and

4. Requesting the Local Government Office to either provide clarification of the “materiality” provision in the Aldermanic Code of Conduct such that Codes of Conduct do not need to be resorted to in the first instance, or request the Minister to seek its removal altogether.”

RUZICKA
BRISCOE

That the motion be adopted and the Lord Mayor be requested to write to the Director of Local Government, Minister for Local Government, the Integrity Commission and other appropriate entities, as determined by the General Manager, seeking clarification of the provisions within the Model Code of Conduct, as referenced in the motion.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

12. Re-Appointment of a State Architect
File Ref: F17/143451; 13-1-9

Ref: Open [CPC 9.1](#), 30/10/2017

Motion:

That in the interest of good design for our city, region and state, the Council call upon the state government to reinstate the position of State Architect.

BURNET
HARVEY

That the motion be adopted and the Lord Mayor be requested to write to the relevant Minister and opposition parties in support of the reinstatement of the role of State Architect.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

FINANCE COMMITTEE

13. Financial Report as at 30 September 2017

File Ref: F17/144428; 21-1-1

Ref: Open [FC 6.2](#), 14/11/2017

- That
1. The Council approve the changes to the 2017/2018 Estimates listed in tables 4, 5, 7 and 9, marked as Attachment A to item 6.2 of the Open Finance Committee agenda of 14 November 2017, and the financial impacts of which are to decrease the underlying surplus by \$0.78M, and to increase the cash balance by \$0.88M.
 2. Investigate the possibility of paying out the Commonwealth Bank loan, shown in Table 13 of Attachment A to Item 6.2 on the Open Finance Committee meeting agenda of 14 November 2017, and replacing it with a lower interest rate, fixed-term loan.

THOMAS
RUZICKA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

PARKS AND RECREATION COMMITTEE

14. Accessible Beach Trial
File Ref: F17/145158

Ref: Open [PRC 6.1](#), 9/11/2017

- That: 1. The trial of one accessible beach wheelchair, in partnership with Surf Life Saving Tasmania, be implemented at Nutgrove Beach for the 2017-18 summer period.
2. A partnership also be developed with Surf Life Saving Tasmania to facilitate the availability of the Beach Chairs during the summer patrols at Nutgrove Beach.
3. An allowance of \$500 be allocated for promotion of the trial to ensure community awareness of the offering.
4. Beach matting not be installed as part of the trial.

REYNOLDS

RUZICKA

That the recommendation be adopted.

AMENDMENT

BRISCOE

THOMAS

That clause 3 be amended to include the following after the word 'offering':

'and a media event be held by the City of Hobart with sector representatives to further promote the trial'.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That: 1. The trial of one accessible beach wheelchair, in partnership with Surf Life Saving Tasmania, be implemented at Nutgrove Beach for the 2017-18 summer period.
2. A partnership also be developed with Surf Life Saving Tasmania to facilitate the availability of the Beach Chairs during the summer patrols at Nutgrove Beach.
3. An allowance of \$500 be allocated for promotion of the trial to ensure community awareness of the offering and a media event be held by the City of Hobart with sector representatives to further promote the trial.
4. Beach matting not be installed as part of the trial.

15. Review of Policy - Memorial Plaques and Tree Planting in Parks, Bushland and Reserves

File Ref: F17/138203; 13-1-9

Ref: Open [PR 6.2](#), 9/11/2017

That following a review of the Council's policies pertaining to plaques and the donation of trees and park furniture and equipment within the City's parks, Bushland and Reserves:

1. The following Council Policies be rescinded:
 - (i) 'Memorial Plaques and Tree Plantings in Parks, Bushland and Reserves' (marked as Attachment B to item 6.2 of the Open Parks and Recreation Committee agenda of 9 November 2017).
 - (ii) 'Donation of Park Furniture and Equipment for installation in City Parks, Bushland and Reserves' (marked as Attachment C to item 6.2 of the Open Parks and Recreation Committee agenda of 9 November 2017).
2. The Council adopt the following Council Policy, (marked as Attachment A to item 6.2 of the Open Parks and Recreation Committee agenda of 9 November 2017):
 - (i) 'Donation of Park Furniture and Equipment, Memorial Plaques and Tree Planting in Parks, Bushland and Reserves', inclusive of the following variations:
 - (a) Sub-clause (i) of clauses *1. Memorial Plaques* and *2. Planting of commemorative trees* to read as follows:
 - (i) All provision and installation costs being met by the applicant.
 - (b) The addition of sub-clause (vi) to clause *2. Planting of commemorative trees* and the addition of sub-clause (vii) to clause *3. Donation of park furniture and equipment* to read as follows:

Any replacement costs being at the discretion of the Director.

REYNOLDS
CHRISTIE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	Burnet
Deputy Lord Mayor Christie	Cocker
Zucco	
Briscoe	
Ruzicka	
Thomas	
Reynolds	
Denison	
Harvey	

Aldermen Ruzicka and Thomas declared an interest in item 16 and left the meeting.

16. Wellington Park Management Trust - Aldermanic Nominations

File Ref: F17/144030; 13-15-35

Ref: Open [PR 6.3](#), 9/11/2017

- That 1 The Council endorse the nomination of Alderman Dr Eva Ruzicka to fill the role as Member and Alderman Damon Thomas (subject to availability) to fill the role as Deputy Member of the Wellington Park Management Trust, commencing on 1 January 2018, for a period of up to three years.
2. The Council's nominees, as stated in Clause 1 above, be forwarded to the Trust for appointment by the Minister.

REYNOLDS

BURNET

That the recommendation be adopted.

AMENDMENT

BRISCOE

ZUCCO

That clause 1 be amended to endorse the nomination of Alderman Damon Thomas to fill the role as Member of the Wellington Park Management Trust and Alderman Dr Eva Ruzicka to fill the role as Deputy Member.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Hickey
Deputy Lord Mayor Christie
Zucco
Briscoe
Burnet
Cocker
Reynolds
Denison
Harvey

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Hickey
Deputy Lord Mayor Christie
Zucco
Briscoe
Burnet
Cocker
Reynolds
Denison
Harvey

COUNCIL RESOLUTION:

- That 1 The Council endorse the nomination of Alderman Damon Thomas to fill the role as Member and Alderman Dr Eva Ruzicka to fill the role as Deputy Member of the Wellington Park Management Trust, commencing on 1 January 2018, for a period of up to three years.
2. The Council's nominees, as stated in Clause 1 above, be forwarded to the Trust for appointment by the Minister.

17. 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 | Civic Square - Expression of Interest process
LG(MP)R 15(2)(b), (c)(i) and (f) |
| Item No. 7 | Request to Waive Requirement to Tender - The Mercury Newspaper Advertising
LG(MP)R 15(2)(d) |
| Item No. 8 | Vodafone Call Centre - Alirenste Pty Ltd
LG(MP)R 15(2)(c)(ii) and (i) |

BURNET
RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Hickey	
Deputy Lord Mayor Christie	
Zucco	
Briscoe	
Ruzicka	
Burnet	
Cocker	
Thomas	
Reynolds	
Denison	
Harvey	

The Chairman adjourned the meeting at 6.48 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6.56 pm.

Item 17 was then taken.

There being no further business the meeting closed at 6.56 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
4TH DAY OF DECEMBER 2017.

CHAIRMAN