



CITY OF HOBART

MINUTES

OPEN PORTION
MONDAY, 27 JULY 2020
AT 5:00 PM

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, Dr P T Sexton, D C Thomas, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Ewin, Z E Sherlock and W N S Coats.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Alderman Sexton joined the meeting at 5.01pm.

Alderman Zucco left the meeting at 5.46pm, returning at 5.47pm.

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 July 2020](#) and the minutes of the meeting of the Open Portion of the Special Council meeting held on [Monday, 20 July 2020](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

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

No communication was received.

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

5. PUBLIC QUESTION TIME

No questions were received.

6. PETITIONS

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*.

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

No interest was indicated.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

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

9.1 10 Whelan Crescent, West Hobart - Partial Demolition, Alterations, Extension, Carport and Front Fencing PLN-20-340 - File Ref: F20/74251

Ref: Open [CPC 7.1.1](#), 20/07/2020
Application Expiry Date: 29 July 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a partial demolition, alterations, extension, carport and front fencing at 10 Whelan Crescent West Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 20 July 2020 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-20-340 - 10 WHELAN CRESCENT WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

Planning approval under this planning permit is on the basis of a single dwelling development of the site only.

Reason for condition

To clarify the scope of the permit

PLN s2

All works are to be fully contained within the property boundaries of No.10 Whelan Crescent.

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).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw4

The 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 the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). 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 must submit detailed design drawings via the planning condition endorsement process, and once approved an application for a new stormwater connection must be completed.

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 sw7

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

Plans and specifications to the satisfaction of the responsible authority for the stormwater detention system, must be submitted and approved prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The plans and specifications must:

1. Be prepared by a suitably qualified person
1. Include a detention system that limits flows from the site to a PSD of 3.5 L/s

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

Advice:

Once the plans have 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 ensure the capacity of the Council's drainage network is not exceeded

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 and parking module must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.

Reason for condition

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

ENG 3b

The access driveway and parking module design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway and parking module 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. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show the crossover as 5.5m wide, and 7.5m wide including transitions

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 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 11

Prior to the commencement of use, the proposed crossover to the Whelan Crescent highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the LGAT Website.

It is advised that designers consider the detailed design of the crossover, 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.

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.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). [Click here for more information.](#)

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.

P s3

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), a landscaping plan for the landscaping of the site must be submitted and approved. The landscaping plan must show:

1. retention of the olive trees along the side boundaries of the site, except where they are required to be removed in order to carry out the development approved by this permit; and
2. retention of the walnut tree on the site.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. In particular, all trees shown as retained on the approved landscaping plan must not be removed during the 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.

NEW SERVICE CONNECTION

Please contact the Hobart City Council's City Amenity Division to initiate the application process for your new stormwater connection.

STORMWATER

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

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

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.

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

WORK PLACE HEALTH AND SAFETY

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

PROTECTING THE ENVIRONMENT

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

NOISE REGULATIONS

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

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.

AMENDMENT

BRISCOE
HARVEY

That: 1. The resolution to approve this proposal on conditions is amended to replace condition P s3 with the following:

P s3

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), a landscaping plan prepared by a suitably qualified expert for the landscaping of the site must be submitted and approved. The landscaping plan must show:

1. retention of the olive trees along the side boundaries of the site, except where they are required to be removed in order to carry out the development approved by this permit;
2. retention of the walnut tree on the site; and

3. a tree protection zone (TPZ), as specified by Australian Standard AS 4970 – 2009 *Protection of trees on developments sites*, designed to protect the roots of:
 - i. the olive trees which will be retained on the site;
 - ii. the walnut tree on the site; and
 - iii. the two substantial trees on 15 Corby Avenue which are close to the site.

Temporary fencing must be erected around the TPZ until all construction activities have been carried out, except with the prior written consent of the Director City Planning. The TPZ must not be accessed during the construction process.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. In particular, all trees shown as retained on the approved landscaping plan must not be removed during the development.

2. The following advice be included on the permit:

Advice

The following windows will have glazing with reduced transparency in order to provide privacy:

- i. Eastern window to lower floor 'Laundry' (directly adjacent to no. 8 Whelan Crescent)
- ii. Eastern windows and door to 'Entry 2' area (directly adjacent to no. 8 Whelan Crescent)
- iii. Eastern windows to Rumpus room (directly adjacent to no. 8 Whelan Crescent)
- iv. Western windows to upper floor bathroom (directly adjacent to no. 12 Whelan Crescent)
- v. Western windows to lower floor ensuite (directly adjacent to no. 12 Whelan Crescent)

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a partial demolition, alterations, extension, carport and front fencing at 10 Whelan Crescent West Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 20 July 2020 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-20-340 - 10 WHELAN CRESCENT WEST HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

Planning approval under this planning permit is on the basis of a single dwelling development of the site only.

Reason for condition

To clarify the scope of the permit

PLN s2

All works are to be fully contained within the property boundaries of No.10 Whelan Crescent.

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).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ENG sw2.1

A pre-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any drainage structures to be connected to or modified, must be submitted to Council prior to the commencement of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV recording then any damage to Council's infrastructure identified in the post-construction CCTV recording will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw2.2

A post-construction CCTV recording of the Council's stormwater main within/adjacent to the proposed development, along with photos of any existing drainage structures connected to or modified as part of the development, must be submitted to Council upon completion of work.

The post-construction CCTV recording and photos will be relied upon to establish the extent of any damage caused to Council's stormwater infrastructure during construction. If the owner/developer fails to provide Council with pre-construction CCTV then any damage to Council's infrastructure identified in the post-construction CCTV will be deemed to be the responsibility of the owner.

Reason for condition

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

ENG sw4

The 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 the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). 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 must submit detailed design drawings via the planning condition endorsement process, and once approved an application for a new stormwater connection must be completed.

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 sw7

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

Plans and specifications to the satisfaction of the responsible authority for the stormwater detention system, must be submitted and approved prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The plans and specifications must:

1. Be prepared by a suitably qualified person
1. Include a detention system that limits flows from the site to a PSD of 3.5 L/s

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

Advice:

Once the plans have 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 ensure the capacity of the Council's drainage network is not exceeded

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 and parking module must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

It is advised that designers consider the detailed design of the access and parking module prior to finalising the Finished Floor Level (FFL) of the parking spaces (especially if located within a garage incorporated into the dwelling), as failure to do so may result in difficulty complying with this condition.

Reason for condition

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

ENG 3b

The access driveway and parking module design must be submitted and approved, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway and parking module 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. Where the design deviates from AS/NZS2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show the crossover as 5.5m wide, and 7.5m wide including transitions

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 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

ENG 11

Prior to the commencement of use, the proposed crossover to the Whelan Crescent highway reservation must be designed and constructed in general accordance with:

1. LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
2. LGAT Standard Drawing - Footpath - Urban Roads Footpaths TSD-R11-v1

Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the LGAT Website.

It is advised that designers consider the detailed design of the crossover, 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.

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.

You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). [Click here for more information.](#)

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.

P s3

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) or the commencement of work on the site (whichever occurs first), a landscaping plan prepared by a suitably qualified expert for the landscaping of the site must be submitted and approved. The landscaping plan must show:

1. retention of the olive trees along the side boundaries of the site, except where they are required to be removed in order to carry out the development approved by this permit;
2. retention of the walnut tree on the site; and
3. a tree protection zone (TPZ), as specified by Australian Standard AS 4970 – 2009 *Protection of trees on developments sites*, designed to protect the roots of:
 - i. the olive trees which will be retained on the site;
 - ii. the walnut tree on the site; and
 - iii. the two substantial trees on 15 Corby Avenue which are close to the site.

Temporary fencing must be erected around the TPZ until all construction activities have been carried out, except with the prior written consent of the Director City Planning. The TPZ must not be accessed during the construction process.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. In particular, all trees shown as retained on the approved landscaping plan must not be removed during the 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.

NEW SERVICE CONNECTION

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

STORMWATER

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

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

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.

STORMWATER / ROADS / ACCESS

Services to be designed and constructed in accordance with the (IPWEA) LGAT – standard drawings. Click [here](#) for more information.

WORK PLACE HEALTH AND SAFETY

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

PROTECTING THE ENVIRONMENT

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

NOISE REGULATIONS

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

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.

Advice

The following windows will have glazing with reduced transparency in order to provide privacy:

- i. Eastern window to lower floor 'Laundry' (directly adjacent to no. 8 Whelan Crescent)
- ii. Eastern windows and door to 'Entry 2' area (directly adjacent to no. 8 Whelan Crescent)
- iii. Eastern windows to Rumpus room (directly adjacent to no. 8 Whelan Crescent)

- iv. Western windows to upper floor bathroom (directly adjacent to no. 12 Whelan Crescent)
- v. Western windows to lower floor ensuite (directly adjacent to no. 12 Whelan Crescent)

9.2 409 Argyle Street, New Town - Front Fencing and Alterations to Access PLN-20-233 - File Ref: F20/71890

Ref: Open [CPC 7.1.2](#), 20/07/2020

Application Expiry Date: 14 August 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for front fencing at 409 Argyle Street, New Town for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 20 July 2020 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-20-233 - 409 ARGYLE STREET NEW TOWN TAS 7008 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 13

The fence taper (from 1.75m to 1.2m over the first 1.5m in length) must be installed within 60 days of the date of this permit.

Reason for condition

To ensure the safety of pedestrians whilst vehicles are entering and leaving the 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.

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*.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

9.3 32 De Witt Street, Battery Point - Partial Demolition, Alterations and Extension
PLN-20-102 - File Ref: F20/71933

Ref: Open [CPC 7.1.3](#), 20/07/2020
Application Expiry Date: 25 August 2020

BURNET
DUTTA

That the recommendation contained the officer's report marked as item 7.1.3 of the Open City Planning Committee agenda of 20 July 2020, be adopted.

MOTION LOST

VOTING RECORD

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

BEHRAKIS
BRISCOE

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations and Extension at 32 De Witt Street, Battery Point. The Council is satisfied that the proposal meets the requirements of the Scheme, specifically clauses E13.7.1 P1 of the Historic Heritage Code, in relation to the proposed demolition of the original rear structural wall. 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-20-102 32 DE WITT STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

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: 6185 dated 07 April 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

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*.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations and Extension at 32 De Witt Street, Battery Point. The Council is satisfied that the proposal meets the requirements of the Scheme, specifically clauses E13.7.1 P1 of the Historic Heritage Code, in relation to the proposed demolition of the original rear structural wall. 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-20-102 32 DE WITT STREET BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

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: 6185 dated 07 April 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

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*.

**9.4 22 Byron Street, Sandy Bay - Outbuilding
PLN-20-336 - File Ref: F20/73650**

Ref: Open [CPC 7.1.5](#), 20/07/2020
Application Expiry Date: 31 July 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for an outbuilding at 22 Byron Street, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 20 July 2020 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-20-336 - 22 BYRON STREET 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).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

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

ADVICE

The owner of the property is encouraged to consider landscaping between the outbuilding and the fence which would reduce any glare caused by the roof of the outbuilding to neighbouring properties.

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.

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
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

10. Proposed Changes to Delegations to Determine Development Applications
File Ref: F20/72893

Ref: Open [CPC 8.1](#), 20/07/2020

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate the functions and powers as detailed in Attachment B to item 8.1 of the Open City Planning Committee agenda of 20 July 2020.

BEHRAKIS
ZUCCO

That the recommendation be adopted.

AMENDMENT

BURNET
DUTTA

That Attachment B be replaced with Attachment C to item 8.1 of the Open City Planning Committee agenda of 20 July 2020.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

The Council, pursuant to section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegate the functions and powers as detailed in Attachment C to item 8.1 of the Open City Planning Committee agenda of 20 July 2020.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

11. Policy Review - Grants Program
File Ref: F20/76599

Ref: Open [CCEC 4.1](#), 27/07/2020

That the City of Hobart Policy, 'Grants Program' as amended in Attachment A to item 4.1 of the Special Open Community Culture and Events Committee agenda of 27 July 2020 be approved.

SHERLOCK
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

FINANCE AND GOVERNANCE COMMITTEE

12. City of Hobart Rates and Charges Policy Amendment
File Ref: F20/72954; 22-2-2

Ref: Open [FGC 6.1](#), 21/07/2020

- That: 1. The Council adopt the amended City of Hobart Rates and Charges policy marked as Attachment A to item 6.1 of the Open Finance and Governance Committee agenda of 21 July 2020.
2. The General Manager be authorised to finalise the City of Hobart Rates and Charges Policy and arrange for it to be made available to the public in a paper format from the Council's Customer Service Centre and in an electronic format from Council's website.

ZUCCO
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SPECIAL REPORT – GENERAL MANAGER

**13. City of Hobart Elected Members Development and Support Policy -
Review of Financial Allocations - Risk and Audit Panel Response
File Ref: F20/30503**

BURNET
SHERLOCK

That the recommendation contained in memorandum of the General Manger of 22 July 2020, marked as item 13 of the Open Council agenda of 27 July 2020, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Council note the advice received from the Risk and Audit Panel and, that as a result of the COVID-19 pandemic, the financial allocation for international travel has been removed from the 2020-21 Budget Estimates.

14. 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:

- Proposal for Council land.
- Commercial information of a confidential nature.
- Personal information.

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 EOI Process LG(MP)R 15(2)(f)
Item No. 7	Sandy Bay Bathing Pavilion Update LG(MP)R 15(2)(c)(i)
Item No. 8	160 Elizabeth Street, Hobart - The Rox Apartments LG(MP)R 15(2)(b)
Item No. 9	Financial Hardship - Rates Remission Requests LG(MP)R 15(2)(j)

DUTTA
BURNET

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

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

There being no further business the meeting closed at 6.27pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
10TH DAY OF AUGUST 2020.

CHAIRMAN