

Chairman	N. Heath – General Manager.	City Services	Community Development
Lord Mayor Ald Rob Valentine	Strategy & Governance	A. Tompson – D.C.S.	H. Salisbury – D.G.M./D.C.D.
Aldermen	G. Randall – D.S.G.	M. Howell – E.O.C.S.	A. Richardson – E.O.C.D.
Deputy Lord Mayor Ald Eva Ruzicka	Corporate Services	Development &	Media
Ald Darlene Haigh	J. Warner – D.C.S.	Environmental Services	Mercury
Ald Marti Zucco	M. Johns – M.C.G. 4	N. Noye – D.D.E.S.	ABC Radio
Ald Jeff Briscoe	J. Stafford – C.S.O.	I. Stanley – M.D.A.	Trevor Sutton
Ald Peter Sexton	E. Wilmshurst – C.S.O.	R. Rust – E.O.D.E.S.	Sub Total: 36
Ald John Freeman	A. Roth – C.S.O.	Parks & Customer Services	Ald. Offices
Ald Ron Christie	C. White – P.A.L.M.	R. Viney – D.P.C.S.	Reception 6
Ald Helen Burnet	Financial Services	K. Baker – E.O.P.C.S.	Public 8
Ald Philip Cocker	D. Spinks – D.F.S.	Customer Services Counter	Spare
Ald Elise Archer	Civic Solutions		Total Distribution: 53
Ald Bill Harvey	M. Street – D. Civic Solutions		



AGENDA

OPEN PORTION OF THE COUNCIL MEETING

MONDAY 12 OCTOBER 2009

AT 5.00 P.M.

THE MISSION

Our mission is to ensure good governance of our capital City.

THE VALUES

The Council will:

Leadership

Provide effective capital City leadership, integrity and openness in its approach and will advocate the needs and aspirations of the community.

Equity

Ensure equity, consistency and co-operation in its dealings with the community and government.

Community Involvement

Encourage effective democratic involvement by the community in the life of the City through communication, consultation and participation.

Responsiveness

Be responsive to the needs and aspirations of the community.

Excellence

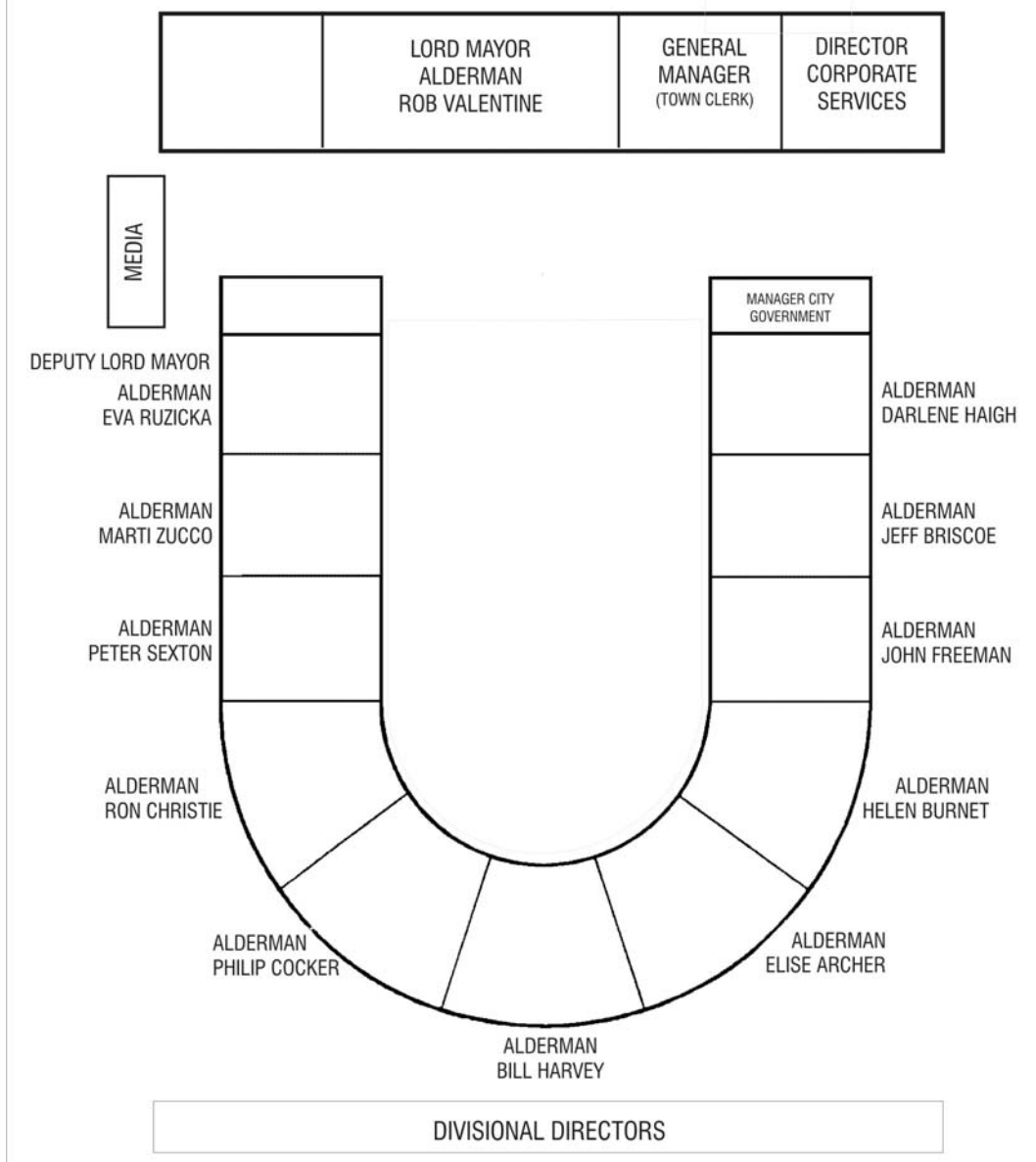
Ensure continuous improvement in the delivery of all its services.

HOBART 2025 VISION

In 2025 Hobart will be a city that:

- Offers opportunities for all ages and a city for life
- Is recognised for its natural beauty and quality of environment
- Is well governed at a regional and community level
- Achieves good quality development and urban management
- Is highly accessible through efficient transport options
- Builds strong and healthy communities through diversity, participation and empathy
- Is dynamic, vibrant and culturally expressive

LAYOUT OF THE COUNCIL CHAMBER



**OPEN PORTION OF THE COUNCIL MEETING
TABLE OF CONTENTS
12/10/2009**

PRESENT

APOLOGIES

LEAVE OF ABSENCE

TABLE OF CONTENTS

- 1. MINUTES OF THE LAST MEETING OF THE OPEN PORTION OF THE COUNCIL MEETING**
- 2. COMMUNICATION FROM THE CHAIRMAN**
- 3. NOTIFICATION OF COUNCIL WORKSHOPS**
- 4. PUBLIC QUESTION TIME**
- 5. PETITIONS**
- 6. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**
- 7. DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

REPORTS OF COMMITTEES

DEVELOPMENT AND ENVIRONMENTAL SERVICES

- 8. COUNCIL ACTING AS PLANNING AUTHORITY**
 - 8.1 16 WATKINS AVENUE, WEST HOBART – DECK –
PLN-09-00354-01 – FILE REF: 7641134 & P/16/908**
 - 8.2 PROPOSED PLANNING DIRECTIVE NO.2 – UNDERGROUND
AND MINOR ABOVEGROUND INFRASTRUCTURE –
PLANNING SCHEME EXEMPTIONS – FILE REF: 16-11-2**

CITY SERVICES

- 9. 39 SALAMANCA PLACE (KNOPWOODS RETREAT) AND
21-23 SALAMANCA PLACE (IRISH MURPHY'S HOBART) –
REQUEST FOR OCCUPATION LICENCE AND ROAD CLOSURES
– DECEMBER 2009 – FILE REFS: 17-12-10; 17-12-13**
- 10. NATIONAL RECYCLING WEEK 2009 – PLANET ARK'S BIG
AUSSIE SWAP PARTY – FILE REF: 44-2-1**

**OPEN PORTION OF THE COUNCIL MEETING
TABLE OF CONTENTS
12/10/2009**

- 11. "SUMMER SUNDAYS" IN NORTH HOBART – TRIAL
PEDESTRIAN ZONE – CONSULTATION RESULTS –
FILE REF: 36-25-10**
- 12. CLOSED PORTION OF THE COUNCIL MEETING**

OPEN COUNCIL AGENDA

Lord Mayor
Deputy Lord Mayor
Aldermen

Haigh

Zucco

Briscoe

Sexton

Freeman

Christie

Burnet

Cocker

Archer

Harvey

A meeting of the Open Portion of the Council meeting will be held in the Council Chamber, Town Hall on Monday 12 October 2009, at 5.00 p.m.

**N.D. HEATH
GENERAL MANAGER**

PRESENT:

APOLOGIES:

LEAVE OF ABSENCE:

1. MINUTES OF THE LAST MEETING OF THE OPEN PORTION OF THE COUNCIL MEETING

The Chairman reports that he has perused the minutes of the meeting of the Open Portion of the Council meeting held on Monday 28 September 2009, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

2. COMMUNICATION FROM THE CHAIRMAN

3. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2005, the General Manager reports that the following Council workshop has been conducted since the last ordinary meeting of the Council:-

Date: 6 October 2009

Topic: Sharing Local Government Services

4. PUBLIC QUESTION TIME

5. PETITIONS

6. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2005, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the Local Government Act 1993.

RECOMMENDATION

That the Council resolve by absolute majority 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 2005.

7. DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2005, the chairman of a meeting is to request Aldermen to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

In addition, in accordance with the Council's resolution of 14 April 2008, Aldermen are requested to indicate any conflicts of interest in accordance with the Aldermanic Code of Conduct adopted by the Council.

Accordingly, Aldermen are requested to advise of pecuniary or conflicts of interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2005.

REPORTS OF COMMITTEES

DEVELOPMENT AND ENVIRONMENTAL SERVICES

8. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2005, 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.

**8.1 16 WATKINS AVENUE, WEST HOBART – DECK –
PLN-09-00354-01 – FILE REF: 7641134 & P/16/908**
Ref. Open DESC Supp. 6.1.3, 5/10/2009
Application Expiry Date: 29/10/2009

That pursuant to Part 2 of the City of Hobart Planning Scheme 1982, the Council refuse the application for a deck at 16 Watkins Avenue, West Hobart on the grounds that:

1. The proposal does not comply with Schedule K (Rescode) of the City of Hobart Planning Scheme 1982, in that the proposal fails to comply with either the acceptable solution or performance criteria in respect to building setback and bulk (Design Element K3.4).
2. The proposal does not comply with Schedule K (Rescode) of the City of Hobart Planning Scheme 1982, in that the proposal fails to comply with either the acceptable solution or performance criteria in respect to residential density (Design Element K3.1).
3. As a consequence of the above two reasons for refusal, the proposal has an unacceptable impact on the adjoining property.

**8.2 PROPOSED PLANNING DIRECTIVE NO.2 – UNDERGROUND
AND MINOR ABOVEGROUND INFRASTRUCTURE –
PLANNING SCHEME EXEMPTIONS – FILE REF: 16-11-2**

Ref. Open DESC Supp. 6.2, 5/10/2009

- That:
1. The Council advise the Tasmanian Planning Commission that it has no objection to the Draft Planning Directive No .2 “Underground and Minor Aboveground Infrastructure”, subject to proposed exemptions not applying to new infrastructure that would result in vegetation clearance exceeding 500m² in area.
 2. A copy of the report attached to supplementary item 6.2 of the Open Development and Environmental Services Committee agenda of 5 October 2009, be forwarded to the Commission for information.

CITY SERVICES

**9. 39 SALAMANCA PLACE (KNOPWOODS RETREAT) AND
21-23 SALAMANCA PLACE (IRISH MURPHY'S HOBART) –
REQUEST FOR OCCUPATION LICENCE AND ROAD CLOSURES
– DECEMBER 2009 – FILE REFS: 17-12-10; 17-12-13**

Ref. Open CSC 9, 30/9/2009

- That: 1. In accordance with Section 19 of the Local Government (Highways) Act 1982, the necessary road closures be approved in order to grant Knopwoods Retreat exclusive licence to occupy Salamanca Place between Montpelier Retreat and Kennedy Lane and the adjacent area of Salamanca lawns to Castray Esplanade, as shown on Attachment 3 to item 9 of the Open City Services Committee agenda of 30 September 2009, for the night of Friday 18 December 2009.
- (i) The exclusive licence be conditional on Knopwoods Retreat fencing the area using temporary cyclone wire fencing of at least 1.8m in height with security controlled entry points located in the fence line.
 - (ii) Within the fenced area Knopwoods Retreat be permitted to establish outside serving stations.
 - (iii) Approval be given for Knopwoods Retreat to locate two industrial bins on the eastern side of Montpelier Retreat for storage of solid waste, subject to at least one of the bins being removed by 5.00am on Saturday 19 December 2009.
 - (iv) All other usual conditions be applied to the occupation licence, including responsibility to ensure free pedestrian movement along the footpath, securing all necessary permits and to remove all rubbish from the public highway and other public spaces included in the licensed area, as well as the provision of portable public toilets.
 - (v) A condition be applied that would allow a singer to perform on the night of 18 December 2009 between 6.00pm and 9.00pm with volume control and extension to 10.00pm subject to Tasmania Police approval being given on the night.

cont.../

OPEN PORTION OF THE COUNCIL MEETING 6
12/10/2009

Item No. 9 continued

2. In accordance with Section 19 of the Local Government (Highways) Act 1982, the necessary road closures be approved in order to grant Knopwoods Retreat exclusive licence to occupy 2 additional parking spaces in Salamanca Place on 24 December 2009 between 7.00pm and 12 midnight, subject to the same conditions that are to apply on the night of 18 December 2009.
3. The request from Knopwoods Retreat for extension of its occupation licence hours to 1.00am during the Taste Festival period, be declined.
4. In accordance with Section 19 of the Local Government (Highways) Act 1982, the necessary road closures be approved in order to grant Irish Murphys, Hobart exclusive licence to occupy the 5 parking spaces in Salamanca Place in front of the hotel, as shown on Attachment 4 to item 9 of the Open City Services Committee agenda of 30 September 2009, for the nights of Friday 11 December, Friday 18 December, Thursday 24 December and Thursday 31 December, 2009 between 3.00pm and 12 midnight.
 - (i) A condition be applied that would allow music to be played between 4.00pm and 9.00pm on Thursday 24 December 2009, with volume control and extension to 10.00pm subject to Tasmania Police approval on the night.
5. Approval of any further requests for the 2009/2010 festive season which may be received from licensees in the Sullivans Cove area, for an extension to the area of occupation licence be granted, subject to conditions which require fencing to match the Knopwoods Retreat fencing specified in Clause 1(i) above, if an outside serving point for alcoholic drinks is approved.
6. The provision of the extended occupation licences to Knopwoods Retreat and to Irish Murphys Hobart also be subject to such other conditions as the General Manager determines.

10. NATIONAL RECYCLING WEEK 2009 – PLANET ARK’S BIG AUSSIE SWAP PARTY – FILE REF: 44-2-1

Ref. Open CSC 11, 30/9/2009

- That:
1. The Council, in conjunction with the Resource Work Cooperative, host a Big Aussie Swap Party on Saturday 14 November 2009 at the recycling area of the McRobies Gully Waste Management Centre.
 2. Expenditure for this event be funded from the Solid Waste Management Function of the 2009/2010 Annual Plan, at an approximate cost of \$2,000.

11. “SUMMER SUNDAYS” IN NORTH HOBART – TRIAL PEDESTRIAN ZONE – CONSULTATION RESULTS – FILE REF: 36-25-10

Ref. Open CSC 12, 30/9/2009

That the Council not proceed with a trial of “Summer Sundays” in North Hobart, at this point in time.

12. CLOSED PORTION OF THE COUNCIL MEETING

The following items were discussed:-

- Item 1. Minutes of the Last Meeting of the Closed Portion of the Council Meeting
- Item 2. Transfer of Agenda Items
- Item 3. Leave of Absence – File Ref: 13-2-2
LG(MP)R 15(2)(i)
- Item 4. Consideration of Supplementary Items to the Agenda
- Item 5. Declarations of Pecuniary and Conflicts of Interest
- Item 6. 1 Franklin Wharf – File Ref: 2884671 & P/1-5/505
LG(MP)R 15 (4)
- Item 7. Local Government Association of Tasmania – File Ref: 12-50-1
LG(MP)R 15 (2)(j)