



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 16 March 2020 at 5:01pm**

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## ORDER OF BUSINESS

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**APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME  
1997**

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DRAFT

**City Planning Committee Meeting (Open Portion) held on Monday, 16 March 2020 at 5:01 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Deputy Lord Mayor Burnet (Chairman)  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**NON-MEMBERS**

Lord Mayor Reynolds  
Zucco  
Sexton  
Thomas  
Ewin  
Sherlock

**PRESENT:** The Deputy Lord Mayor  
Councillor H Burnet, Alderman  
J R Briscoe, Councillor W F Harvey,  
Alderman S Behrakis and Councillor  
W Coats

The Deputy Lord Mayor declared an  
interest in item 7.2.1 and left the meeting  
at 5.03pm returning at 5.23pm.

Alderman Behrakis chaired the meeting  
for item 7.2.1.

**APOLOGIES:** Nil.

Alderman Behrakis left the meeting at  
6.27pm returning at 6.29pm and was not  
present for items 8.3 and 8.4.

**LEAVE OF ABSENCE:**

Councillor M Dutta.

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY**

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No elected members were co-opted to the Committee.

**2. CONFIRMATION OF MINUTES**

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**BEHRAKIS**

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 2 March 2020](#) and the Special City Planning Committee meeting held on [Tuesday, 10 March 2020](#), be confirmed as an accurate record.

**MOTION CARRIED**

**VOTING RECORD**

**AYES**

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

**NOES**

The minutes were signed.

### **3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

BRISCOE

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

MOTION CARRIED

#### VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

### **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

Members of the Committee 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. Deputy Lord Mayor Burnet - item 7.2.1

## 5. TRANSFER OF AGENDA ITEMS

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Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

## 6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

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In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

BEHRAKIS

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

## **7. COMMITTEE ACTING AS PLANNING AUTHORITY**

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In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Committee 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 Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee 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.

Item 7.2.1 was then taken.

### **7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997**

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#### **7.1.1 1-3 Elizabeth Street, Hobart - Partial Change of Use (Mawson's Hut Replica Museum) PLN-19-943 - File Ref: F20/27236**

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HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 5 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial change of use (Mawson's Hut Replica Museum) at 1-3 Elizabeth Street 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 16 March 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-19-943 1-3 ELIZABETH STREET HOBART TAS 7000 - 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, Works Application No. 6168 dated 3rd March 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 10

All signage must be removed from the site when the removal of the Mawson's Huts replica structures takes place.

Reason for condition

To ensure that the signage is temporary only.

PLN s1

The proposed use and development is approved until 23 March 2022. After this time, the use must cease immediately, and within 3 months of that date, all buildings and associated structures must be removed and the site made good to its former state immediately prior to the commencement of the use and development.



ADVICE:

For the purposes of this condition, 'immediately prior to the commencement of the use and development' is taken to mean 9 September 2013.

Reason for condition

To clarify the scope of the permit.

PLN s2

The owner must pay the cost of any alterations and/or reinstatement to the Council's infrastructure, incurred as a result of the proposed development works. Such payment is to be made within 60 days of the issue of a certificate of completion, or any demand, whichever is the latter.

Reason for condition

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

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.

## 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](#).

## FEEES 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.

## PUBLIC CONVENIENCES

The applicant be advised to provide information regarding public conveniences located nearby to patrons.

**Delegation: Council**

Item 7.2.5 was then taken.

The Deputy Lord Mayor declared an interest in item 7.2.1 and left the meeting.

## **7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

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### BRISCOE

That Alderman Behrakis chair the meeting for item 7.2.1

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Harvey  
Behrakis  
Coats

Alderman Behrakis assumed the Chair.

Mr Roland Browne (applicant) addressed the Committee in relation to item 7.2.1

**7.2.1 1 Glebe Street, Glebe - Sign  
PLN-20-12 - File Ref: F20/26880**

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BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 26 February 2020, be adopted as amended by the inclusion of the following advice clause:

ADVICE

“The banner sign be removed as soon as practicable.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis  
Briscoe  
Harvey  
Coats

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a sign at 1 Glebe Street, Glebe for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clauses E17.6.1 and E17.7.1 Standards for Signs of the *Hobart Interim Planning Scheme 2015* because a banner sign is prohibited in the inner residential zone.

ADVICE

The banner sign be removed as soon as practicable.

**Attachment**

A. 1 Glebe Street - Supporting Documents - Mr Roland Browne ⇒ 

**Delegation: Council**

Item 7.2.4 was then taken.

**7.2.2 PLN-19-818 4 Danval Place, West Hobart**  
**File Ref: F20/26960; PLN-19-818**

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BRISCOE

That the recommendation contained in the memorandum of the Manager Development Appraisal of 11 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, extension and alterations at 4 Danval Place, West 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-19-818 - 4 DANVAL PLACE WEST HOBART TAS 7000 - 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.

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 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

*Advice:*

*If the development's building approval includes the need for a building permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the building application.*

*If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the commencement of use, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

*Advice:*

*Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3a

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

*Advice:*

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

Reason for condition

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

ENG 3c

The access driveway and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the Another Perspective Drafting & Design documentation received by the Council on the 7th January 2020.

Prior to the commencement of use, documentation by a suitably qualified engineer certifying that the access driveway and parking module has been constructed in accordance with the above drawings must be lodged with the Council.

*Advice:*

*Certification may be submitted to Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).*

Reason for condition

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

ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the 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 5

The number of car parking spaces approved on the site, for use is two (2).

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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



## ENG r1

The footings (driveway deck) within the highway reservation must not undermine the stability and integrity of the highway reservation and its infrastructure.

Detailed design drawings and structural certificates of the driveway deck footings within the Danval Place highway reservation must be submitted and approved, prior to the commencement of work and must:

1. Be prepared and certified by a suitable qualified person and experienced engineer;
2. Not undermine the stability of the highway reservation;
3. Take into account any additional surcharge loadings as required by relevant Australian Standards;
4. Take into account and reference accordingly any Geotechnical findings;
5. Detail the design and location of the footing adjacent to Danval Place highway reservation; and
6. Include a structure certificate which notes that the driveway deck footings will not undermine the highway reservation.

All work required by this condition must be undertaken in accordance with the approved select design drawing and structural certificates.

### *Advice:*

*The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]).*

*This is a separate process to any building approval under the Building Act 2016.*

*Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

### Reason for condition

To ensure that the stability and integrity of the Council's highway reservation is not compromised by the development.

### ENGR 3

Prior to the commencement of use, the proposed driveway crossover Danval Place highway reservation must be designed and constructed in accordance with engineering design plans submitted and approved by the City of Hobart's Road Services Engineer.

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

1. Show the cross and long sections (centreline and both edges) of the driveway crossover within the highway reservation and onto the property
2. Detail any services or infrastructure (i.e. light poles, pits, awnings) at or near the proposed driveway crossover
3. Reinstatement of the redundant vehicle crossing to kerb
4. Show swept path templates in accordance with AS/NZS 2890.1 2004
5. Demonstrate that a B85 vehicle or B99 depending on use (AS/NZS 2890.1 2004, section 2.6.2) can access the driveway from the road pavement into the property without scraping the cars underside
6. Be prepared and certified by a suitable qualified person, to satisfy the above requirement.

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

#### *Advice:*

*The applicant is required submit detailed design documentation to satisfy this condition via Council's planning condition endorsement process (noting there is a fee associated with condition endorsement approval of engineering drawings [see general advice on how to obtain condition endorsement and for fees and charges]). This is a separate process to any building approval under the Building Act 2016.*

*A Permit to Carry out Works within the highway reservation is required prior to commencement of work within the highway.*

*Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals.*

*It is advised to place a note to this effect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.*

*Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.*

Reason for condition

To ensure that works will comply with the Council's standard requirements.

ENV 1

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

*Advice:*

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

Reason for condition

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

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 (i.e. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

## BUILDING PERMIT

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

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

## PLUMBING PERMIT

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

## OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction (e.g. placement of skip bin, crane, scissor lift etc.). [Click here for more information.](#)

You may require a road closure permit for construction. [Click here for more information.](#)

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

## PLANNING

You are encouraged to plant and maintain screening vegetation above the height of the existing paling fence between the existing dwelling and the rear boundaries with 10 Shannuk Drive and 9 Rennie Street. This vegetation would improve privacy and reduce overlooking between the deck and the neighbouring private outdoor space.

## 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.](#)

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

## 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.](#)

## 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.](#)

**Delegation: Committee**

#### **7.2.3 63 Giblin Street, Lenah Valley - Subdivision (One Additional Lot) PLN-19-454 - File Ref: F20/27209**

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#### BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 25 February 2020, be adopted.

MOTION CARRIED

#### VOTING RECORD

#### AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

#### NOES

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a subdivision (one additional lot) at 63 Giblin Street Lenah Valley TAS 7008 for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 10.6.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the subdivision includes a proposed Lot 1 which does not achieve the minimum lot size required for an internal lot under Table 10.1.

**Delegation: Council**

Item 7.1.1 was then taken

The Deputy Lord Mayor resumed the Chair.

Mr Val Noga, Mrs Shirley Noga and Mr Peter Clark addressed the Committee in relation to item 7.2.4

**7.2.4 67 Woodcutters Road, Tolmans Hill - Partial Demolition, Extension and Alterations**  
**PLN-20-8 - File Ref: F20/27249**

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BEHRAKIS

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 2 March 2020, be adopted as amended by the inclusion of the following advice clause:

ADVICE

“The applicant consider lowering the profile of the roof, and a conciliation process with the owners of the neighbouring properties.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, extension and alterations at 67 Woodcutters Road, Tolmans Hill for the reasons outlined in the officer's report attached to item 7.2.4 of the Open City Planning Committee agenda of 16 March 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-20-8 - 67 WOODCUTTERS ROAD TOLMANS HILL TAS 7007 - 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 2020/00020-HCC dated 16/01/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit does not approve a change of use to the existing single dwelling on the site. The use must remain as a single dwelling unless further and separate planning approval is sought and obtained from the Council.

Reason for condition

To clarify the scope of the permit

PLN s4

Prior to the issue of any approval/consent under the *Building Act 2016*, or commencement of work on site (whichever occurs first), revised plans must be submitted and approved showing:

1. The extension to the existing dwelling with an absolute height not exceeding 6.395m above natural ground level at any point.

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

Advice:

The plans submitted informally to Council on 23 February 2020 (drawing DA10 Rev. 3 and DA 11 Rev 2, both dated 21/2/2020) are considered to satisfy this condition.

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 sw8

Prior to first occupation, a stormwater detention system in accordance MinD Architects drawing DA12 Revision 3 must be installed to limit stormwater discharges from the roofed area on the site to a maximum of 2.5 L/s.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

## 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 2b

Prior to the issue of any approval under the *Building Act 2016* or the commencement of works on site (whichever occurs first), a certified vehicle barrier design (including site plan with proposed location(s) of installation) prepared by a suitably qualified engineer, compliant with Australian Standard AS/NZS1170.1:2002, must be submitted to Council.

### Advice:

If the development's building approval includes the need for a Building Permit from Council, the applicant is advised to submit detailed design of vehicular barrier as part of the Building Application.

If the development's building approval is covered under Notifiable Work the applicant is advised to submit detailed design of vehicular barrier as a condition endorsement of the planning permit condition. Once the certification has been accepted, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the commencement of use, vehicular barriers must be inspected by a qualified engineer and certification submitted to the Council confirming that the installed vehicular barriers comply with the certified design and Australian Standard AS/NZS1170.1:2002.

Advice:

Certification may be submitted to the Council as part of the Building Act 2016 approval process or via condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3a

The driveway and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required) with the exception that jockey parking is permitted.

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 4

The 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 5

The number of car parking spaces approved on the site is two (2).

Reason for condition

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

## 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.

### 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.

## TOLMANS HILL LOCAL AREA PLAN

The Tolmans Hill Local Area Plan (Stage 2) is available [here](#).

Front fences must not be erected on the property, and side boundary fences must be in accordance with the provisions of the Tolmans Hill Local Area Plan (Stage 2).

This approval and subsequent conditions are given in the knowledge that the Part 5 Agreement on the title (CT. 131194/92) to the property is effective and binds the applicant to the restrictions and controls of the Tolmans Hill Local Area Plan (Stage 2).

Plant species listed in Council's Restricted Plant List: Potentially Invasive Species Generally Unsuitable for Planting in or Adjacent Bushland, Riparian and Coastal Areas (June 2011) must not be planted on the lot (available [here](#)).

## 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.

## 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](#).

## FEEES 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 applicant consider lowering the profile of the roof, and a conciliation process with the owners of the neighbouring properties.

**Delegation: Council**

Supplementary item 11 was then taken.



**7.2.5 342 Sandy Bay Road, Sandy Bay 1/ 344-346 Sandy Bay Road,  
Sandy Bay Adjacent Crown Land  
PLN-20-146 - File Ref: F20/27286**

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HARVEY

That the recommendation contained in the report of the Assistant Planner and the Senior Statutory Planner of 4 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

**COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for subdivision (lot consolidation) at 342 and 1/344-346 Sandy Bay Road, Sandy Bay and adjacent crown land for the reasons outlined in the officer's report attached to item 7.2.5 of the Open City Planning Committee agenda of 16 March 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-20-146 - 342 SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

SUB s1

An amendment to Strata Plan 144514 must be submitted to Council in accordance with the requirements of sections 19 and 31 of the Strata Titles Act 1998, once the Planning Scheme Amendment to rezone Lot 1 and the land comprised in CT 76753/1 to General Residential has been approved.

#### Reason for condition

To enable Lot 1 and CT 76753/1 to be added to CT 144154/1 and the common property for Strata Plan 144514

#### 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.

#### 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.

#### 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.

#### COUNCIL RESERVES

This permit does not authorise any works on the adjoining Council land. Any act that causes, or is likely to cause, damage to Council's land may be in breach of Council's Public Spaces By-law and penalties may apply. A permit is required for works on Council land. The by-law is available [here](#).

#### FEES AND CHARGES

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

## SUBDIVISION ADVICE

For information regarding standards and guidelines for subdivision works click [here](#). All conditions imposed by this permit are in accordance with the *Local Government Building & Miscellaneous Provisions) Act 1993* and the *Conveyancing and Law of Property Act 1884*.

**Delegation: Council**

## 8. REPORTS

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### 8.1 HIPS 2015 Planning Scheme Amendment PSA-20-1 and S.43A Permit (PLN-20-146) - Rezoning and Subdivision (Lot Consolidation) - 342-344 Sandy Bay Road File Ref: F20/17870; PSA-20-1

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HARVEY

That the recommendation contained in the report of the Assistant Planner and the Development Planner of 11 March 2020, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

#### **COMMITTEE RESOLUTION:**

That: 1. Pursuant to Section 34(1) (b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate an amendment to the *Hobart Interim Planning Scheme 2015* to rezone the property at 342 Sandy Bay Road from Open Space to General Residential, to rezone a portion of adjacent Crown Land from Environmental Management to General Residential, as indicated in the rezoning plans provided in Attachment B to item 8.1 of the Open City Planning Committee agenda of 16 March 2020, and to extend the Sandy Bay 8 Heritage Precinct overlay across the section of rezoned Crown Land.

2. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the PSA-20-1 Amendment to the *Hobart Interim Planning Scheme 2015* meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*, and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification marked as Attachment C to item 8.1 of the Open City Planning Committee agenda of 16 March 2020.
3. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place the PSA-20-1 Amendment to the *Hobart Interim Planning Scheme 2015* and PLN-20-146 development application on public exhibition for a 28 day period following certification.
4. Pursuant to Section 43A of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council grant a permit for Subdivision (Lot Consolidation) at 342 and 344 Sandy Bay Road, Sandy Bay, containing the conditions specified in Attachment A to item 8.1. Of the Open City Planning Committee agenda of 16 March 2020.

**Delegation: Council**

**8.2 Projected Population and Economic Growth Model**  
**File Ref: F19/153991**

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BEHRAKIS

That the recommendation contained in the report of the Senior Advisor Economic Development and the Director Community Life of 10 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

**COMMITTEE RESOLUTION:**

- That: 1. The Council continues to commission specialist external economic data, modelling and analysis as specific situations arise requiring it.
2. The Council notes that the United Nations' Sustainable Development Goals are being considered in the development of the City's strategic measurement framework.

**Delegation: Council**

**8.3 City Planning - Advertising Report**  
**File Ref: F20/27208**

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BRISCOE

That the recommendation contained in the memorandum of the Director City Planning of 11 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Coats

NOES

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum titled *City Planning – Advertising Report* be received and noted.

**Delegation: Committee**

**8.4 Delegated Decisions Report (Planning)**  
**File Ref: F20/27261**

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HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 11 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Coats

**COMMITTEE RESOLUTION:**

That the information contained in the memorandum *Delegated Decisions Report (Planning)* be received and noted.

**Delegation: Committee**

**8.5 Monthly Building Statistics - 1 February - 29 February 2020**  
**File Ref: F20/27307**

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BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 12 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

**COMMITTEE RESOLUTION:**

That:

The Director City Planning reports:

During the period 1 February 2020 to 29 February 2020, 37 permits were issued to the value of \$6,405,825 which included:

- (i) 22 for Extensions/Alterations to Dwellings to the value of \$2,446,825;
- (ii) 4 New Dwellings to the value of \$1,900,000; and
- (iii) No Major Projects.

During the period 1 February 2019 to 28 February 2019, 50 permits were issued to the value of \$64,030,867 which included:

- (i) 22 for Extensions/Alterations to Dwellings to the value of \$4,192,867;
  - (ii) 10 New Dwellings to the value of \$4,064,500; and
  - (iii) 4 Major Projects:
    - (a) 34 Davey Street, Hobart - Commercial Extension (Parliament Square) - \$46,300,000;
    - (b) 2 Churchill Avenue, Sandy Bay - New Commercial Building (University of Tasmania, Base Building Only) - \$4,000,000;
    - (c) 42 Argyle Street, Hobart - Commercial Internal Alterations (New Lift), \$1,600,000;
    - (d) 11 Franklin Wharf, Hobart - Commercial Internal Alterations (Night Club), \$1,500,000;
1. In the twelve months ending 29 February 2020, 599 permits were issued to the value of \$243,723,952; and
  2. In the twelve months ending 28 February 2019, 657 permits were issued to the value of \$541,936,072.

**Delegation: Council**

## **9. QUESTIONS WITHOUT NOTICE**

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Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 13-1-10

No questions were asked at the meeting.

## **10. CLOSED PORTION OF THE MEETING**

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BEHRAKIS

That the Committee resolve by 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:

- Confirm the minutes of the Closed portion of the meeting;
- Questions without notice in the Closed portion.

The following items were discussed:-

- Item No. 1 Minutes of the last meeting of the Closed Portion of the Committee Meeting
- Item No. 2 Consideration of supplementary items to the agenda
- Item No. 3 Indications of pecuniary and conflicts of interest
- Item No. 4 Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey  
Behrakis  
Coats

NOES

Delegation: Committee

**SUPPLEMENTARY ITEM**

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**APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997**

Mr Nicholas and Mr Alex Lazarou addressed the Committee in relation to supplementary item 11.

- 11. **2 / 19 - 21 Castray Esplanade, Battery Point Adjacent Road Reserve - Outdoor Dining Furniture - PLN-20-4**  
**File Ref: F20/27977**
- 

HARVEY

That the recommendation contained in the report of the Manager Development Appraisal of 12 March 2020, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Briscoe  
Harvey

NOES

Behrakis  
Coats



**COMMITTEE RESOLUTION:**

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council refuse the application for outdoor dining furniture at 2/19-21 Castray Esplanade and the adjacent road reserve Battery Point for the following reasons:

1. The proposal does not meet the objective or the performance criterion with respect to clause 16.2(a) of the *Sullivans Cove Planning Scheme 1997* because it does not respect the cultural heritage and character of the Activity Area by not demonstrably contributing to, and enhancing the cultural heritage, built form and spatial characteristics of the activity area.
2. The proposal does not meet the objective or the performance criterion with respect to clause 16.2(b) of the *Sullivans Cove Planning Scheme 1997* because it does not conserve and enhance the amenity, character and cultural heritage values of the Cove's roads, because it will detract from the Cove's heritage value.

**Delegation: Council**

Item 7.2.2 was then taken.

There being no further business the meeting closed at 6.34pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
20<sup>TH</sup> DAY OF APRIL 2020.

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**CHAIRMAN**