



# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 22 MARCH 2021  
AT 5:04 PM  
COUNCIL CHAMBER, TOWN HALL

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*.



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## **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, Dr Z E Sherlock and W N S Coats.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Alderman Behrakis left the meeting at 5.14 pm after declaring an interest in item 9.3, returning at 5.15 pm.

Alderman Thomas left the meeting at 6.21 pm, returning at 6.23 pm.

Alderman Briscoe left the meeting at 6.23 pm, returned at 6.24 pm and was not present for item 10.

Alderman Behrakis left the meeting at 6.24 pm, returned at 6.25 pm and was not present for items 11 and 12.

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Tuesday, 9 March 2021](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET  
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

The minutes were signed.

## **2. TRANSFER OF AGENDA ITEMS**

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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**

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No communication was received.

## **4. NOTIFICATION OF COUNCIL WORKSHOPS**

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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**

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No questions were received.

## **6. PETITIONS**

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No petitions were received.

## **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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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.

The following interest was indicated:

1. Alderman Behrakis - item 9.3.

## **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 7 Nixon Street, Sandy Bay - Partial Demolition, Alterations, Extension and Front Fencing - PLN-20-460** **File Ref: F21/20055**

Ref: Open [CPC 7.2.1](#), 15/03/2021  
Application Expiry Date: 12 April 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension and front fencing, at 7 Nixon Street, Sandy Bay because it complies with the relevant provisions of the planning scheme, in particular clauses E13.8.1 P1, E13.8.2 P1 and E13.8.2 P3, 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-20-460 - 7 Nixon 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.

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 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.

HER 14

All brick and sandstone elements must be retained and reused on site.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the retention and reuse of all bricks and sandstone elements in accordance with the above requirement.

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

Reason for condition

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

HER 16

The front fence along the Nixon Street boundary must be no more than 1.2 metres in height above natural ground level. The fence along Marsden Street must be no higher than 1.2 metres at the corner with Nixon Street and be no more than 2.3 metres in height (including the concrete base) at the point where the fence is adjacent to 1 Marsden Street.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing the front fence in accordance with the above requirement.

Reason for condition

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

HER 17a

The external materials and finishes of the approved development must be substantially in accordance with the approved plans, except for the colour of the roof. Any substantial change in the materials and finishes requires further approval. The colour of the roof, both new and existing, requires further approval..

All exterior colours, materials and finishes must reflect the palette of colours, materials and finishes within the local streetscape and precinct.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing all exterior colours, materials and finishes in accordance with the above requirement.

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

Reason for condition

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

HER 17b

The final colour of the roof of the entire building must be approved.

Prior to the issue of any approval under the *Building Act 2016*, revised plans detailing the roof colour of the building must be submitted and approved to the satisfaction of the Council's Director City Planning.

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

Reason for condition

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



## 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.

## OCCUPATION OF THE PUBLIC HIGHWAY

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

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

You may require a road closure permit for construction or special event. 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.

## 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  
THOMAS

That the recommendation be adopted.

## MOTION CARRIED

## VOTING RECORD

### AYES

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

### NOES

Dutta

## 9.2 118 York Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Subdivision (One Additional Lot), and Associated Work PLN-20-259 - File Ref: F21/20536

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Ref: Open [CPC 7.2.2](#), 15/03/2021  
Application Expiry Date: 8 April 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition and subdivision (one additional lot) at 118 York Street, Sandy Bay for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 15 March 2021 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-20-259 - 118 York Street Sandy Bay TAS 7005 - CPC Agenda 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 2020/00590-HCC dated 11 May 2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw6

All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition are to be met by the owner.

Design drawings and calculations of the proposed stormwater drainage and connections to the Council's stormwater infrastructure must be submitted and approved prior to the commencement of work. The design drawings and calculations must:

1. be prepared by a suitably qualified person; and
2. include long section(s)/levels and grades to the point of discharge.

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

*Advice:*

*The applicant is advised to submit detailed design drawings and calculations as part of their Plumbing Permit Application. If detailed design to satisfy this condition is submitted via the planning condition endorsement process there may be fees associated with the assessment, and once approved the applicant will still need to obtain a plumbing permit for the works.*

Reason for condition

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

ENG 3a

The access driveway and parking module (parking spaces 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, 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 and manoeuvring area) must be constructed in strict accordance with the PDA Surveyors documentation received by the Council on the 18th October 2020 prior to sealing of the final plan.

*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 sealing of the final plan.

#### 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 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 r3

Prior to the sealing of the final plan, the proposed driveway crossover within the York Street highway reservation must be designed and constructed in general accordance with:

- Urban - TSD-R09-v2 – Urban Roads Driveways;
- Non-standard K&C- a concrete plinth to Councils standards shall be constructed at the gutter, contact the Council's Road Services Engineer for details; and
- Footpath - Urban Roads Footpaths TSD-R11-v2.

Design drawings must be submitted and approved prior to any approval under the *Building Act 2016* or commencement of works on site (whichever occurs first). The design drawing(s) must:

1. Show the cross and long section 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, show proposed location of the power pole as approved by TasNetworks.
3. If the design deviates from the requirements of the TSD, then the drawings must demonstrate that a B85 vehicle (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
4. Show that vehicular and pedestrian sight lines are met as per AS/NZS 2890.1 2004.
5. Not show a grated wedge, asphalt wedge or the standard open wedge driveway crossover. Grated wedges are permitted on highly used bike routes and details of the grate (i.e. mass) will be required. The design drawings should show access via a concrete plinth to Councils standards to be constructed at the gutter. A drawing of a standard concrete plinth can be obtained from Councils Road Services Engineer. Note: that the agreement of the Council's is required to adjust footpath levels.

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.*

*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 affect 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.

#### HER s1

The owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* to limit the height, location, and boundary, and landscaping treatments of any future development of Lot 1 in accordance with the Plan of Subdivision dated 24 February 2021, PDA reference 44832CT-1E. More specifically all future building works must be located within the building envelope labelled ABCD on that Plan, and must not exceed a maximum height of 72.5AHD (4.5m above natural ground level).

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

#### *Note:*

*For further information with respect to the preparation of a Part 5 agreement please contact the City Planning Staff*

#### Reason for condition

To ensure that any future development of the plot hereby approved would not lead to significantly large and visible residential development including associated boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.

#### HER s2

No fencing is approved for a distance of 7.5m from the front boundary on the western side of the Lot 1 driveway.

#### Reason for condition

To ensure that any future development of the plot hereby approved would not lead to significantly large and visible residential development including associated boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.



### HER s3

The proposed fence and proposed gate shown on the Plan of Subdivision dated 24 February 2021 must be 1.8m high and sited no closer than 7.5m from the front boundary.

The fence must be installed prior to the sealing of the final plan.

#### Reason for condition

To ensure that any future development of the plot hereby approved would not lead to visible boundary treatments forward of the existing building line to the detriment of the historical and cultural significance of the Heritage Precinct.

### SURV 1

The applicant must submit to the Council a copy of the surveyor's survey notes at the time of lodging the final plan.

#### Reason for condition

To enable the Council to accurately update cadastral layers on the corporate Geographic Information System.

### SURV 2

The final plan and schedule of easements must be submitted and approved in accordance with section 89 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

#### Reason for condition

To ensure that the subdivision/boundary adjustment is carried out in accordance with the Council's requirements under the provisions of Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

### ENG 14

Services to each lot must be designed and installed to meet the needs of future development, prior to the sealing of the final plan.

Engineered drawings must be submitted and approved prior to commencement of work on the site. The engineered drawings must:

- a) be prepared by a suitable qualified person and experienced engineer;
- b) be generally in accordance with LGAT - IPWEA - Tasmanian Standard Drawings and Subdivision Guidelines 2013 and include the following;
  - 1) Clearly distinguish between public and private infrastructure.
  - 2) Specify lot connection sizes appropriate for the developable area of each lot.
  - 3) Show the proposed location of each lot connection such that the majority of the lot, including the driveway, can be adequately and economically drained.
  - 4) The new stormwater system design must include:
    - i. prepared by a suitably qualified person; and
    - ii. include long section(s)/levels and grades to the point of discharge
    - iii. Size, material and grade of the new connection

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

*Advice:*

*Once the engineering drawings have been approved the Council will issue a condition endorsement.*

*Please note that once the condition endorsement has been issued you will need to contact Council's City Amenity Division to obtain a Permit to Construct Public Infrastructure and an application for new stormwater connection.*

Reason for condition

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

ENG 16

Prior to the sealing of the final plan, private sewer, stormwater (including surface drainage) and water services/connections are to be entirely separate to each lot and contained wholly within the lots served.

Reason for condition

To ensure that each lot is services separately.

#### ENG 17

Prior to the sealing of the final plan, the developer must verify compliance with condition ENG 16 by supplying the Council with an as-installed services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as- installed services plan must be accompanied by certification from a suitably qualified person that all engineering work required by this permit has been completed.

*Advice:*

*Any final plan submitted for sealing will not be processed unless it is accompanied by documentation by a suitably qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A 'suitably qualified person' must be a professional engineer or professional surveyor or other persons acceptable to Council.*

Reason for condition

To ensure that the developer provides the Council with clear written confirmation that the separation of services is complete.

#### OPS 1

The owner must pay a cash contribution to the Council for contribution to public open space, prior to sealing of the final plan.

The open space contribution is equal to 5% of the undeveloped value of Lot 1 in the final plan, in lieu of the provision of public open space within the subdivision.

*Advice:*

*The value is to be determined by a registered valuer commissioned by the Council at the developer's cost. Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.*

*Reason for condition*

*Approval of the subdivision will create further demand upon Hobart's Public Open Space System. The funds obtained will be used for future expenditure on the purchase or improvement of land for public open space in Hobart.*

SUB s1

The existing outbuildings at the rear of the existing dwelling on the balance lot are to be demolished, prior to the sealing of the final plan.

Reason for condition

To ensure that the new boundary does not pass through the outbuildings.

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.

## 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.

#### 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.

#### 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.

#### 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.

#### STREET LIGHTING

The relocation of a light pole must be in accordance with TasNetworks and Hobart City Council requirements. Click [here](#) for more information.

## STORM WATER / ROADS / ACCESS

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

## EXISTING BURDENING EASEMENT

Lot 1 and the Balance of CT 121081/1 are subject to an existing burdening easement in favour of Co-operative Estates Limited and its successors in title owners or occupiers for the time being of Lot 105 and the balance of Lots 103 and 104 or any of them shown on Plan No. 767 of making and laying sewers and drains and of using all sewers and drains now or hereafter to be made in or over the land marked A B C D on Plan No. 121081 with power at any time upon giving reasonable notice to enter upon the land marked A B C D on Plan No. 121081 to make lay repair cleanse and maintain any pipes or drains the person or persons entering to make good all damage to the surface occasioned thereby.

It would appear that this is a historical easement that may now be redundant. The application should consider applying to the Recorder of Titles to have this easement extinguished prior to the sealing of the final plan in order that it does not burden Lot 1 on the final plan.

When a future owner wishes to build on Lot 1 it appears that the provisions of section 74 of the *Building Act 2016* will be applicable:

*74. Works involving, or in proximity of, service easements A person must not perform any building work over or within a service easement unless the person obtains written consent to do so from the person on whose behalf the service easement was created.*

## 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.

## UTILITIES

The designer must ensure that the needs of all affected authorities, ie TasNetworks, Telstra and NBN Co., are catered for both in the design and construction of the works, in particular adjustments to any underground cables or other infrastructure.

## 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*.

## PUBLIC OPEN SPACE - CASH IN LIEU VALUATION

Please contact the Council's Development Appraisal Unit on 6238 2715 to instigate the valuation process.

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



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

**9.3 26 Tabart Street, New Town - Two Multiple Dwellings**  
**PLN-20-563 - File Ref: F21/20415**

---

Ref: Open [CPC 7.2.3](#), 15/03/2021  
Application Expiry Date: 4 April 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for two multiple dwellings at 26 Tabart Street New Town TAS 7008 for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause Part D 10.4.1 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the density of the proposal is not compatible with the density of the surrounding area.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause Part D 10.4.2 A3 and P3 of the *Hobart Interim Planning Scheme 2015* because the visual impact caused by the bulk and scale of the proposal when viewed from the western adjoining lot will cause an unreasonable loss of amenity.

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  
Dutta  
Ewin  
Sherlock  
Coats

#### 9.4 PLN-18-351 20 Runnymede Street Battery Point - Appeal

File Ref: F21/20051; PLN-18-351

---

Ref: Open [CPC 7.1.2](#), 15/03/2021

That the Council oppose approval of the plans amended by the Resource Management Planning Appeal Tribunal on 4 February 2021 for application for partial demolition, new building for residential hotel, restaurant/cafe, unlisted use (bar) and shops, subdivision (one additional road lot), alterations to carparking, and associated works in the road reserve at 20 Runnymede Street Battery Point and adjacent road reserve, for the following reason:

1. The proposal does not meet the 'permitted' standards of clause 23.6.1 (Building Form) of the *Sullivans Cove Planning Scheme 1997* and fails to meet with the objectives of clause 23.2, which must be considered in the exercise of discretion under clause 23.6.2, because it fails to conserve the traditional urban pattern of Sullivans Cove, it fails to reflect the natural topography of the planning area and it will be individually prominent in terms of contrast with neighbouring buildings by being significantly higher or having a larger apparent size when viewed in street elevation.

BURNET  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

#### VOTING RECORD

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

**9.5 51/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation**  
**PLN-21-63 - File Ref: F21/23121**

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Ref: Special Open [CPC 3.1.1](#), 22/03/2021

Application Expiry Date: 26 March 2021

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for change of use to visitor accommodation at 51/1 Collins Street, Hobart for the reasons outlined in the officer's report attached to item 3.1.1 of the Special Open City Planning Committee agenda of 22 March 2021 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-21-63 - 51 1 COLLINS STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved, to the satisfaction of the Council's Director City Planning. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. To limit, manage, and mitigate noise generated as a result of the visitor accommodation.
2. To limit, manage, and mitigate behavioural issues caused as a result of the visitor accommodation.
3. To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.
4. To specify the maximum permitted occupancy of the visitor accommodation.
5. To provide a contact number in the case of issues that require resolution.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. In the event that the property is sold, the management plan must be updated within 14 days of the transfer of ownership.

#### Reason for condition

To ensure that visitor accommodation does not cause an unreasonable loss of residential amenity.

#### PLN s1

The use may be carried out for a maximum of two years from the commencement of the use and after that date, the use must cease.

#### Reason for condition

To limit the time of operation of the permit, primarily in order to understand the impacts of Visitor Accommodation on other residents of the property.

#### 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*.

#### VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2715.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the Food Act 2003. Click [here](#) for more information, or call our Environmental Health team on 6238 2715.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable “bed and breakfast” parking permit.

## PART B

That correspondence be sent to the body corporate suggesting a 6 monthly report on problems experienced with / impacts of visitor accommodation and to provide contact of our enforcement team for matters where Council action is required.

BEHRAKIS  
ZUCCO

That the recommendation be adopted.

BURNET  
HARVEY

That the vote on Part A and Part B be taken separately.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTION CARRIED  
(PART A)

VOTING RECORD

AYES

NOES

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

MOTION CARRIED  
(PART B)

VOTING RECORD

AYES

NOES

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

**10. Building Statistics - 1 February 2021 - 28 February 2021**  
**File Ref: F21/18966**

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Ref: Open [CPC 8.1](#), 15/03/2021

That the report of the Acting Director City Planning be received and noted:

1. During the period 1 February 2021 to 28 February 2021, 46 permits were issued to the value of \$17,062,645 which included:
  - (i) 32 for extensions/alterations to dwellings to the value of \$8,743,350;
  - (ii) 7 new dwellings to the value of \$2,693,149; and
  - (iii) 2 Major Projects:
    - (a) 431 Elizabeth Street, North Hobart - new commercial building - \$3,950,000;
    - (b) 59 Sandy Bay Road, Sandy Bay - new commercial building - \$3,000,000;
2. 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) 7 new dwellings to the value of \$1,900,000; and
  - (iii) No major projects:
3. In the twelve months ending February 2021, 655 permits were issued to the value of \$188,166,806; and
4. In the twelve months ending February 2020, 599 permits were issued to the value of \$243,723,952.

BURNET  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**FINANCE AND GOVERNANCE COMMITTEE**

**11. 2020-21 Annual Plan - Progress Report**  
**Period Ended 31 December 2020**  
**File Ref: F21/17096**

Ref: Open [FGC 6.2](#), 16/03/2021

That the Council endorse the Annual Plan 2020-21 progress report for the period ending 31 December 2020, marked as Attachment A to item 6.2 of the Open Finance and Governance Committee agenda of 16 March 2021.

ZUCCO  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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



**12. City of Hobart Contract Management Policy**  
**File Ref: F20/128810**

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Ref: Open [FGC 6.3](#), 16/03/2021

- That:
1. The report 'City of Hobart Contract Management Policy' be received and noted.
  2. The Council adopt the City of Hobart Contract Management Policy marked as Attachment A to item 6.3 of the Open Finance and Governance Committee agenda of 16 March 2021.
  3. The General Manager be authorised to finalise the City of Hobart Contract Management Policy and arrange for it to be made available from the City's website.

ZUCCO  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**13. Australian Local Government Association Call for Motions**  
**File Ref: F21/19103**

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Ref: Open [FGC 6.4](#), 16/03/2021

That: 1. The Council submit the following motion to the Australian Local Government Association's National General Assembly:

*The National General Assembly calls upon the Australian Government to ensure a fair balance is made between the requirements of telecommunications carriers to roll out 5G technology and the protection of public spaces from undesirable infrastructure proliferation as has occurred in other jurisdictions.*

2. The Council determine whether it wishes to submit any other motions to the Australian Local Government Association's National General Assembly.

ZUCCO  
SHERLOCK

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

**14. Review of City of Hobart Financial Hardship Assistance Policy**  
**File Ref: F21/19687**

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Ref: Closed [FGC 4.2](#), 16/03/2021

- That: 1. The Council adopt the amended City of Hobart Financial Hardship Assistance Policy marked as Attachment A to item 4.3 of the Closed Finance and Governance Committee agenda of 16 March 2021.
2. The General Manager's delegation pursuant to section 22 of the *Local Government Act 1993*, delegating the power to approve rates remissions up to a limit of \$4,000 per property per application, with remissions above that limit being approved by absolute majority of the Council, be amended to \$2,000.
- (i) The change to the General Manager's delegation limit to approve rate remissions be reflected in the City of Hobart Rates and Charges Policy.
3. The support by way of rates remissions in respect to COVID-19 financial hardship applications cease as at 31 March 2021. Applications received from 1 April 2021 that are related to financial hardship due to COVID-19 are offered negotiated payment plans, waiving of penalties and interest and formal postponements, in accordance with the City's revised Financial Hardship Assistance Policy.
4. A media release and media alerts be released as soon as practicable to advise of the cessation of the COVID-19 financial hardship rates remissions and financial support to be offered after 1 April 2021.

ZUCCO  
BEHRAKIS

That the recommendation be adopted.

**PROCEDURAL MOTION**

BRISCOE  
BURNET

That the matter be deferred for further consideration at the budget workshop scheduled for Tuesday 23 March 2021.

PROCEDURAL 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 matter be deferred for further consideration at the budget workshop scheduled for Tuesday 23 March 2021.

**15. CLOSED PORTION OF THE MEETING**

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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:

- Request to waive requirement to tender
- Minutes from a Closed meeting
- Leave of Absence.

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 | Request to Waive Requirement to Tender - The Mercury Newspaper Advertising<br>LG(MP)R 15(2)(d) |

BURNET  
BEHRAKIS

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 6.36 pm.

TAKEN AS READ AND SIGNED AS A  
CORRECT RECORD THIS  
31<sup>ST</sup> DAY OF MARCH 2021.

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**CHAIRMAN**