



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 21 JUNE 2021
AT 5:00 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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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.

Councillor Ewin joined the meeting at 5.07 pm and was not present for items 1 to 8 inclusive.

Lord Mayor Councillor Reynolds retired from the meeting at 5.12 pm and was not present for items 10 to 22 inclusive.

Alderman Thomas left the meeting at 5.26pm, returning at 5.27 pm.

Alderman Zucco retired from the meeting at 6.06 pm and was not present for items 11 to 22 inclusive.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 7 June 2021](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

NOES

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No items were transferred.

3. COMMUNICATION FROM THE CHAIRMAN

3.1 Australian Local Government Association - National General Assembly

The Lord Mayor advised the meeting that the National General Assembly has unanimously supported the Council's motion regarding 5G technology:

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.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that the following Council workshop has been conducted since the last ordinary meeting of the Council.

Date: 9 June 2021
Purpose: Capital City Strategic Workshop

5. PUBLIC QUESTION TIME

5.1 Ms Isla MacGregor - Fact Checking Process

Ms MacGregor put the following question which the Lord Mayor took on notice.

To Lord Mayor Anna Reynolds: I am conducting research on the methods used to discredit and attack dissidents and whistle-blowers on contemporary human rights issues in Tasmania.

I was recently alerted to a letter you wrote, published on a Facebook page in response to some information supplied to you by Scott Seymour. You confirmed agreement with his suggestion that the statements made on the plaque on the Crowther statue were factually incorrect.

Can you please explain what measures you took to ensure that information presented to the public in the name of "truth telling" was in fact true, if so what steps were taken, who were consulted, and what actions have been taken to publicly "correct the record" now the plaque statements have been demonstrated to be false?

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

No supplementary items were received.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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

No interest was indicated.

SPECIAL MEETING OF ALL COUNCIL COMMITTEES

9. Budget Estimates 2021-22

File Ref: F21/54504

Ref: Special Open [JMC 4.1](#), 16/06/2021

That: 1. The expenses, revenues, capital expenditure, and plant and equipment expenditure detailed in the document '*City of Hobart Budget Estimates 2021-22*' marked as Attachment A to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021 be approved inclusive of the following variation:

That the words '*\$32.46 million in 2021-22 and includes \$5.8 million carried forward from 2020-21*' be replaced with '*\$36.6 million in 2021-22*' after the word '*be*' in the second last paragraph of page 11 of the 2021-22 Budget Estimates document.

2. New borrowings of \$5 million be approved at this time, noting that the Council has consented to the borrowing of \$15 million in 2020-21. The City has approval pending from the State Treasurer for a borrowing facility of up to \$20 million.
3. The Council delegate to the Chief Executive Officer the power to enter into loan agreements to source the above borrowings on the most favourable terms.
4. The City of Hobart Rates Resolution 2021-22 be adopted, which includes:
 - (i) The General Rate be 7.04 cents in the dollar of assessed annual value (AAV).
 - (ii) The following Service Rates be made:
 - (a) A Stormwater Removal Service Rate of 0.45 cents in the dollar of AAV; and
 - (b) A Fire Service Rate of 1.23 cents in the dollar of AAV.

- (iii) A Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
 - (a) A Service charge of \$250 to apply to residential properties; and
 - (b) A Service charge of \$500 to apply to non-residential properties.
 - (iv) A Waste Management Service Charge of \$60 be made for kerbside food organics garden organics waste collection for all rateable land within the municipal area to which Council supplies or makes available a food organics garden organics waste collection service utilising a food organics garden organics waste collection bin.
 - (v) A Landfill Rehabilitation Service Charge be made and varied according to the use or predominant use of land as follows:
 - (a) A Service charge of \$10 to apply to residential properties; and
 - (b) A Service charge of \$20 to apply to non-residential properties.
 - (vi) The rates be subject to the following remissions:
 - (a) A remission of 0.90 cents in the dollar on the AAV of any land or building which is within the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
 - (b) A remission of 0.94 cents in the dollar on the AAV of any land or building which is within areas other than Permanent Brigade Rating Districts or the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
5. Unspent 2020-21 capital funding be carried-forward into 2021-22, with any necessary adjustments to be made in the September 2021 quarter financial report to the Council.
 6. The interest rate on unpaid rates be 7.87 per cent per annum, charged monthly.
 7. The 2021-22 Annual Plan marked as Attachment B to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021, be adopted.
 8. The Long Term Financial Management plan 2022-2042 marked as Attachment C to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021, be adopted.

9. The following delegations be approved:
- (i) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to the Chief Executive Officer, being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)* the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan 2021-22 marked as Attachment B to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021.; and, the Council authorise the Chief Executive Officer to delegate, pursuant Section 64 of the *Local Government Act 1993*, to such employees of the Council as she considers appropriate, the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan marked as Attachment B to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021.
 - (ii) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to all the Council Committees the power to expend monies on the Council's behalf identified as Delegation Classification 2 items in the Council's Annual Plan 2021-22 marked as Attachment B to item 4.1 of the Special Meeting of All Council Committees agenda of 16 June 2021.
10. The Council note that a mid-year review of the 2021-22 Budget Estimates and Long Term Financial Management Plan 2022-2042 will be undertaken.
11. The Council note that a review of the mechanism adopted to determine future rate increases will be undertaken during the 2021-22 financial year.
12. The Council note the observations of the Risk and Audit Panel as detailed in this report.
13. The Fire Service Rate as stated in clause 4(ii)(b) above be further highlighted and explained on City of Hobart rates notices and accompanying communications to ratepayers as a State Government levy which local government acts as a collection agent for.
14. Council officers review the level of the current interest rate applied to unpaid rates as stated in clause 6 of the recommendation considering:
- (i) Whether discounts can be provided at the discretion of the Chief Executive Officer; and
 - (ii) Consistency with interest applied to other unpaid fees and charges.

The findings be reported to a future Finance and Governance Committee meeting.

ZUCCO
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

Lord Mayor Councillor Reynolds retired from the meeting.

Deputy Lord Mayor Councillor Burnet assumed the Chair.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

10. 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 Chief Executive Officer 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.

**10.1 201 Macquarie Street, 49 Molle Street, 199 Macquarie Street, Hobart and Adjacent Rivulet - Partial Demolition, Alterations, Partial Change of Use to Office and Two Multiple Dwellings, New Building for 45 Multiple Dwellings, Signage and Associated Works
PLN-19-768 - File Ref: F21/54743**

Ref: Open [CPC 7.1.1](#), 15/06/2021

Application Expiry Date: 21 June 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations, partial change of use to office and two multiple dwellings, new building for 45 multiple dwellings, signage and associated work at 201 Macquarie Street, 199 Macquarie Street, 49 Molle Street, and adjacent rivulet, Hobart, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 15.4.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the building height is not compatible with the scale of nearby buildings, does not allow for a transition in height between adjoining buildings, and does not make a positive contribution to the streetscape.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the grade of the vehicular access is not safe, efficient or convenient, having regard to suitability for the type and volume of traffic likely to be generated by the use and development, and ease of accessibility and recognition for users.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because there will be loss of the historic cultural significance of the place because of the development's incompatible design, including its height, bulk, and siting.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A2 or P2 of the *Hobart Interim Planning Scheme 2015* because the development has not been designed to be subservient and complementary to the place, due to its scale, bulk, and siting.
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because the materials, built form and fenestration do not respond to the dominant heritage characteristics of the place.

BEHRAKIS
BRISCOE

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

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

COATS
THOMAS

That the Council approve the recommendation contained in the officer's report marked as item 7.1.1 of the Open City Planning Committee Agenda of 15 June 2021.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, partial change of use to office and two multiple dwellings, new building for 45 multiple dwellings, signage and associated work at 201 Macquarie Street, 199 Macquarie Street, 49 Molle Street, and adjacent rivulet, Hobart, for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 15 June 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-19-768 - 201 MACQUARIE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01665-HCC dated 7 July 2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

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

Advice:

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

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

PLN s1

The palette of exterior colours and materials must be provided.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition, excavation and works up to the ground floor slab), revised plans, and montages and samples where appropriate, must be submitted and approved as a Condition Endorsement to the satisfaction of the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the streetscape and townscape values of the surrounding area.

PLN s2

A landscape plan must be prepared by a suitably qualified landscape designer.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition, excavation and works up to the ground floor slab), revised plans must be submitted and approved as a Condition Endorsement to the satisfaction of the Director City Planning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans. Prior to occupancy, confirmation from the landscape architect who prepared the approved landscaping plan (or another suitably qualified landscape designer) that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

The applicant is encouraged to consider introducing more landscaping into the design, including along the perimeter of the site, and with plants in the the ground not just in planters.

Reason for condition

In the interest of the amenity of the spaces, streetscape and townscape values of the surrounding area.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site. The construction waste management plan must include:

- Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and
- Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

It is recommended that the developer liaise with the Council's Cleansing and

Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

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

ENG sw2.2

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

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

Reason for condition

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

ENG sw3

The proposed development must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved as a Condition Endorsement prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. Demonstrate how the design will ensure the protection and provide access to the Council's stormwater main

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

ENG sw5

The existing stormwater main (DN225) must be redesigned to new alignment and constructed prior to the commencement of the use.

Engineering drawings must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The engineering drawings must:

1. Be certified by a qualified and experienced civil engineer;
2. Include a plan and long-section of the proposed stormwater main; and
3. Include the associated calculations and catchment area plans. These should include, but not be limited to, connections, flows, velocities, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure Council's hydraulic infrastructure meets acceptable standards.

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 as a Condition Endorsement prior to the commencement of work. The design drawings and calculations must:

1. prepared by a suitably qualified person; and

2. include long section(s)/levels, grades and material to the point of discharge.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's online request form which is available on its website and approved. The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure;
4. connections which are free-flowing gravity driven;
5. any connections to watercourse must demonstrate adequate erosion and scour control and minimise hydraulic intrusion. The cross-sections must clearly show the top of bank and invert of watercourse.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

SW 8

All stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010.

Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC, must be submitted and approved as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first).

A maintenance management schedule must also be submitted and the facility must be maintained in accordance with this schedule.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

ENG 13

All garbage collection associated with the development must occur wholly within the site. On-street garbage collection by private contractors within the Macquarie Street Highway Reservation is not approved.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG tr1

Traffic management within the access driveway, circulation roadway and parking module (parking spaces and aisles) must be installed prior to the first occupation.

Traffic management design drawing(s) (including signage and line marking), must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016*. The design drawing(s) must be prepared by a suitably qualified person and include (but not be limited to):

1. Signage indicating that the car parking area is a private car park.
2. Delineation of pedestrian pathways along the shared vehicular circulation roadway.
3. Pedestrian safety bollards for egress to/from lifts and doorways.
4. Physical separation including hand rails of pedestrian pathways along the shared vehicular circulation roadway.
5. That the access driveway queuing areas are to be clearly line marked in accordance with the Traffic Impact Assessment documentation received by the Council on the 12th April 2021.
6. That the access driveway queuing areas must provide adequate space to accommodate at least two vehicles when entering from Macquarie Street in accordance with the Traffic Impact Assessment documentation received by the Council on the 12th April 2021.
7. Line marking or alternate easily identifiable traffic control devices clearly identifying entry and exit lanes.
8. Warning devices on the approaches to the service lift doors on all levels of the car park advising drivers that they may encounter a pedestrian at the lift.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Include a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b of PLN-19-768 .

Prior to the first occupation or 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 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 first occupation / 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 / motorbike / bicycle parking spaces approved on the site is:

- Fifty (50) car parking spaces
- Eight (8) bicycle parking spaces
- Four (4) motorcycle parking spaces

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to first occupation / commencement of use.

Reason for condition

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

ENG 5b

The access driveway queuing areas must be clearly line marked in accordance with the Traffic Impact Assessment documentation received by the Council on the 12th April 2021.

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 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 queueing area into the development has sufficient capacity to hold two vehicles.

ENG 8

The use of the car parking spaces approved by this permit is restricted to residential, domestic associated with operations within the site.

A sign, approved by Council, and in accordance with Australian Standards AS/NZS 1742.11:2016, must be erected at the entry of the parking access to indicate the parking area is for residents only prior to first occupation.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 12

Parking, access and turning areas must be generally designed and constructed in accordance with the Australian Standard Parking facilities, Part 1: Off-Street Carparking, AS 2890.1 – 2004, prior to the first occupation.

Design drawings must be submitted and approved as a Condition Endorsement, prior to commencement of work. The amended design drawings must show dimensions, levels and gradients, transitions and other details as necessary to satisfy the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that the access and parking layout for the development is to accepted standards.

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 s1

Testing and commissioning certificates or equivalent supporting documentation relating to the vehicle lifts and traffic/queueing control devices must be submitted and approved as a Condition Endorsement, prior to the commencement of use.

The documentation must:

1. Be prepared by a suitably qualified person.
2. Demonstrate any that traffic/queueing control devices within the property boundary have been installed and tested and will operate to the manufacturer's specifications and all relevant Australian Standards.
3. Demonstrate that the vehicle lifts have been installed and tested and will operate to the manufacturer's specifications received by council on the 12th April 2021 and all relevant Australian Standards.
4. Provide for emergency breakdown plans and contingency options, including the change of any traffic/queueing operation, required in the event the vehicle lifts become temporarily disabled or non-operational.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

ENG s2

The vehicle lifts and traffic/queueing control devices must be maintained so as to operate to the standard and specification identified in the relevant documentation submitted, approved and referred to by condition ENG s1 for the life of the building.

If, in the opinion of a suitably qualified person, the vehicle lifts and/or traffic/queueing control devices are no longer able to be maintained so as to operate to the approved standard and specification (end of service life), they must be replaced with devices which are able to perform to the equivalent standard and specification identified in the relevant documentation submitted, approved and referred to by condition ENG s1 within 14 days.

If the vehicle lifts and/or traffic/queueing control devices are replaced in accordance with the above, revised documentation must be submitted in accordance with the requirements of condition ENG s1.

Reason for condition

To ensure the continued use of the access and parking modules for the life of the unit complex without causing the loss of amenity to the users of the access and road users of Macquarie Street.

ENV 8

All recommendations in section 8 of the Geotechnical Assessment report by Geo-Environmental Solutions P/L dated July 2020 must be implemented including:

- pad footings are to be used to the south of the site, where slightly weathered dolerite bedrock is expected at the base of excavations. To the north of the site, where the quaternary alluvial deposits are encountered to 15.9 m AHD, bored pile foundations are recommended to place footings into the underlying weathered dolerite;
- cuttings onsite must be supported; and
- an Engineering Geologist must observe foundation excavations during construction to ensure that founding conditions are consistent with those on which the design recommendations are based.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides

ENV 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

HER 6

All onsite excavation and disturbance in the areas identified in the Praxis Environment report (Conservation Management Policy, Statement of Archaeological Potential and Development Impact Assessment) (dated Feb 2019) and shown as red (see figure 1.8.9 p.68) must be monitored and excavated in accordance with the recommendations of the above report (item 15 p.89 and section 2.2 pp.75-80.) Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with 2. above must be complied with in full; and
4. All features and/or deposits discovered and excavated must be reported to Council with 1 day and prior to the conclusion of the excavation; and
5. A qualified archaeologist must also undertake an audit of bulk archaeological materials such as worked sandstone blocks, 19th century bricks or cobblestones suitable for reuse. Refer also condition HER s3.
6. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with 2. 3. and 5. above must be provided to Council within 60 days of receipt of the advice, assessment and recommendations and prior to the issue of any approval under the *Building Act 2016* (excluding demolition).

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

Reason for condition

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

HER 7

All artefacts of high interpretative value and/or rare or otherwise significant as determined by the qualified archaeologist engaged in accordance with Condition HER 6 must be incorporated into an on site interpretation and history.

An interpretation plan must be prepared and submitted and approved as a Condition Endorsement, prior to occupation.

The on-site interpretation must be:

- in accordance with the approved interpretation plan,
- incorporate the artefacts described above,
- located in a publicly accessible space and
- completed prior to the issue of a certificate of occupancy.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that there is public benefit from archaeological investigations.

HER s1

This permit does not approve any demolition, building or works to the rear outbuilding/stables.

Advice:

It is understood that works to this building will form a separate planning application after further consultation has occurred with Council's Senior Cultural Heritage Officer

Reason for condition

To protect the cultural heritage values of the site.

HER s2

A total of 6.3m of the heritage retaining wall adjacent to the rear outbuilding/stables must be retained. This is a further 3.8m in addition to what is shown on plan 112A03 issue N. Any work to repair the wall must be undertaken by a suitably qualified stonemason and must retain its historic character and appearance.

Reason for condition

To protect the cultural heritage values of the site.

HER s3

The audit report prepared in accordance with condition HER 6, must be submitted and approved as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016*. The audit report must demonstrate how the finds described in HER 6 (number 5.) are to be incorporated into the development in landscaping, vertical or horizontal surfaces or other designed or decorative features. Revised plans must be submitted and approved as part of the Condition Endorsement showing the recommendations of the audit report in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that archaeological evidence is retained, protected and preserved or otherwise appropriately managed.

ENVHE 1

Recommendations in the report Environmental Site Assessment 201 Macquarie Street, Hobart (dated August 2019) by Geo-Environmental Solutions must be implemented for the duration of the development.

Specifically:

1. As manganese exceeded Level 2 Material classification in two samples it is recommended that all soil excavated from the site is stockpiled, sampled by a suitably qualified and experienced environmental consultant and results compared against IB105 guideline limits; and

2. If deemed necessary, it is to be transported to a Level 2 waster facility (Copping). A permit to transport the waste (obtained through the EPA) will be required.

Reason for condition

To ensure that excavated contaminated soils are managed in an approved and safe manner that negates potential harm to the environment.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. 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](#).

STORM WATER

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

STRUCTURES CLOSE TO COUNCILS' STORMWATER MAIN

The design of structures (including footings) must provide protection for the Council's infrastructure. For information regarding appropriate designs please contact the Council's City Amenity Division. You may need the General Manager's consent under section 13 of the *Urban Drainage Act 2013* and consent under section 73 or 74 of the *Building Act 2016*.

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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's City Mobility Unit on 6238 2804.

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.

STORM WATER / ROADS / ACCESS

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

WORK PLACE HEALTH AND SAFETY

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

PROTECTING THE ENVIRONMENT

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

LEVEL 1 ACTIVITIES

The activity conducted at the property is an environmentally relevant activity and a Level 1 Activity as defined under s.3 of the *Environmental Management and Pollution Control Act 1994*. For further information on what your responsibilities are, click [here](#).

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.

**10.2 98 Argyle Street, Hobart and Adjacent Road Reserve - Demolition and New Building for 20 Multiple Dwellings
PLN-20-706 - File Ref: F21/54650**

Ref: Open [CPC 7.1.2](#), 15/06/2021
Application Expiry Date: 21 June 2021

That the item be referred to the Council without recommendation.

BEHRAKIS
SHERLOCK

That the recommendation contained in the officers report marked as item 7.1.2 of the Open City Planning Committee Agenda of 15 June 2021, be adopted.

AMENDMENT

BRISCOE
EWIN

That the following condition be included:

PLN s5

The width of the balconies for each apartment must have a minimum width of 2m , as shown on the plans provided to the Council on 18 June 2021.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

Zucco
Briscoe
Sexton
Thomas
Harvey
Behrakis
Ewin
Sherlock
Coats

NOES

Deputy Lord Mayor Burnet
Dutta

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for demolition and new building for 20 multiple dwellings at 98 Argyle Street, Hobart, for the reasons outlined in the officer's report attached to item 7.1.2 of the Open City Planning Committee agenda of 15 June 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-20-706 - 98 ARGYLE STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the Amended Submission to Planning Authority Notice, Reference No. TWDA2020/01741-HCC dated 27/4/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 15a

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

Advice:

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

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

PLN s1

The palette of exterior colours and materials must be provided.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans, and montages and samples where appropriate, must be submitted and approved as a Condition Endorsement to the satisfaction of the Director City Planning showing exterior colours and materials in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the streetscape and townscape values of the surrounding area.

PLN s2

A landscape plan must be prepared for the soft and hard landscaping, by a suitably qualified landscape designer.

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans must be submitted and approved to the satisfaction of the Director City Planning in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved revised plans. Prior to occupancy, confirmation from the landscape architect who prepared the approved landscaping plan (or another suitably qualified landscape designer) that the all landscaping works required by this condition have been implemented, must be submitted to the satisfaction of the Directory City Planning.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

In the interest of the amenity of the spaces, streetscape and townscape values of the surrounding area.

PLN s3

Any cranes used in construction of the approved development must not create an obstruction or hazard for the operation of aircraft approaching and departing the Royal Hobart Hospital helipad.

Advice:

The developer is encouraged to contact the Department of Health and Human Services prior to construction to discuss the operation of any cranes.

Reason for condition

To ensure that cranes or other temporary structures used in the construction of the development do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s4

Prior to the issue of any approval under the *Building Act 2016* (excluding for demolition), revised plans must be submitted and approved as a Condition Endorsement that demonstrate that design elements of the development are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (AS3671:1989 – *Road Traffic Noise Intrusion (Building Siting and Construction)* and AS2107:2016 – *Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)*).

The revised plans must be certified by a suitably qualified person as demonstrating likely compliance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that buildings for residential uses provide reasonable levels of amenity in terms of noise.

PLN s5

The width of the balconies for each apartment must have a minimum width of 2m , as shown on the plans provided to the Council on 18 June 2021.

ENG 12

A construction waste management plan must be implemented throughout construction.

A construction waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site. The construction waste management plan must include:

- Provisions for commercial waste services for the handling, storage, transport and disposal of post-construction solid waste and recycle bins from the development; and
- Provisions for the handling, transport and disposal of demolition material, including any contaminated waste and recycling opportunities, to satisfy the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill. Further information can also be found on the Council's [website](#).

Reason for condition

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

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, g 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).

Reason for condition

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

ENG sw4

Any new stormwater connection required must be constructed, and any existing redundant connections be abandoned and removed. The connection works must be done by Council at the owner's expense prior to occupancy or commencement of use (whichever occurs first).

Detailed engineering drawings must be submitted and approved as a Condition Endorsement, prior to commencement of work or issue of any consent under the Building Act (whichever occurs first). The detailed engineering drawings must include:

1. the accurate location and levels of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development for all 5% AEP rainfall events (including the vertical catchment) and discharge is contained within the kerb;
3. plan and long-section of the proposed connection clearly showing clearances from any nearby obstacles including crossovers and services, cover, size, material and delineation of public and private infrastructure. Connections must be free-flowing gravity.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

The depth and alignment of the stormwater connection shown on the Rare Drainage and Service Plan DA01 RevA does not agree with Council records. A single connection for the property is required under the Urban Drainage Act 2013. Standard sizes for kerb and gutter connections are in Council's Fees and Charges Booklet available from [here](#), and must run in a straight line from the private boundary transition pit if possible.

Once the Condition Endorsement has been issued, the applicant will need to submit an [application for a new stormwater connection](#) with Council's City Amenity Division. Should the applicant wish to have their contractor install the connection, an [Application to Construct Public Infrastructure](#) is required.

The stormwater service connection may be required to have been approved prior to any plumbing permits being issued for private plumbing works.

Reason for condition

To ensure the site is drained adequately.

ENG sw7

Stormwater pre- treatment for stormwater discharges from the development must be installed prior to occupancy or the commencement of use (whichever occurs first).

A stormwater management report and detailed design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The stormwater management report and design must:

1. be prepared by a suitably qualified person;
2. include detailed design of the proposed treatment train, including estimations of contaminant removal for the final design, driving head, and a long-section;
3. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

Once the plans and report have been approved Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To avoid the possible pollution of drainage systems and natural watercourses, and to comply with relevant State legislation.

ENG 13

An ongoing waste management plan for all domestic waste and recycling must be implemented post construction.

The waste management plan must be submitted and approved as a Condition Endorsement, prior to commencement of work on the site (excluding for demolition). The waste management plan must include:

1. Details of commercial waste services for the handling, storage, transport and disposal of domestic waste and recycle bins from the development.
2. Written evidence from a suitable private waste collection company that they are willing to and able to collect waste from the development site in the manner and frequency described in the waste management plan.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

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

ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved as a Condition Endorsement, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.
2. Include a communications plan to advise the wider community of the traffic and parking impacts during construction.
3. Include a start date and finish dates of various stages of works.
4. Include times that trucks and other traffic associated with the works will be allowed to operate.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

Advice:

The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.

Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the NCC2016 are also required in the parking module this area may be considered as a path of access to a building.

Reason for condition

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

ENG 3a

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for vehicle safety barriers where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the issuing of any approval under the *Building Act 2016* (excluding for demolition).

The access driveway, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

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

Once the design has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

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, circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

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 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 twenty (20). All parking spaces must be in accordance with Australian Standards AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

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

ENG 5b

The number of bicycle parking spaces approved on the site for use is eighteen (18).

Bicycle parking spaces and storage must be in accordance with Australian Standards AS 2890.3 2015, prior to commencement of use.

Reason for condition

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

ENG 1

Any damage to council infrastructure or any third-party infrastructure within the road reserve 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 commencement of use, the proposed driveway crossover Argyle Street highway reservation must be designed and constructed in accordance with:

- Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing
- Footpath - Urban Roads Footpaths TSD-R11-v2

Lighting plans approved by TasNetworks must be submitted and approved prior to commencement of work.

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 2

Sediment and erosion control measures, sufficient to prevent sediment leaving the site and in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with:

- the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#); and
- any Contamination Management Plan for the site, as required by the Pitt & Sherry *Site Contamination Appraisal*

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for Condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

HER 6

All onsite excavation and disturbance in the areas identified in the Austral Tasmania report (dated 21 Feb 2020) and shown as having moderate archaeological potential (shown in yellow in the diagram upon p.20) must be monitored and excavated in accordance with recommendations 3 and 4 of the above report. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and,
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and,
3. All and any recommendations made by the archaeologist engaged in accordance with the above sub-clause 2 must be complied with in full; and,

4. All features and/or deposits discovered and excavated must be reported to Council within 1 day and prior to the conclusion of the excavation; and,
5. A qualified archaeologist must undertake an audit of all bulk archaeological materials such as worked sandstone blocks, 19th century bricks or cobblestones suitable for reuse. These bulk archaeological shall be retained on site subject to the approval of their removal by the Council.
6. A copy of the archaeologist's advice, assessment, and recommendations obtained in accordance with the above sub-clauses 2, 3, and 5 must be provided to Council within 60 days of receipt of the advice, assessment, and recommendations and prior to the issue of any approval under the *Building Act 2016* (excluding for demolition) to the satisfaction of Council.

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

Reason for condition

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

HER 7

All artefacts of high interpretative value and/or rare or otherwise significant as determined by the qualified archaeologist engaged in accordance with Condition HER 6 must be incorporated into an on-site interpretation and history.

An interpretation plan must be prepared and submitted and approved by Council prior to occupation.

The on-site interpretation must be:

- in accordance with the approved interpretation plan,
- incorporate the artefacts described above,
- located in a publicly accessible space, and,
- provided upon completion of the development.

Reason for condition

To ensure that there is public benefit from archaeological investigations.

HER s1

The audit report prepared in accordance with condition HER 6, must be submitted and approved as a Condition Endorsement prior to the issue of any approval under the Building Act 2016 for construction of the development (excluding any approval issued under this Act for demolition associated with the development). The audit report must also demonstrate how the finds described in condition HER 6, sub-clause 5 are to be incorporated into the development in landscaping, vertical or horizontal surfaces, or other designed or decorative features. Revised plans must be submitted and approved as part of the Condition Endorsement showing the recommendations of the audit report in accordance with the above requirement.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that archaeological evidence is retained, protected and preserved or otherwise appropriately managed.

ENVHE 1

The recommendations in the report "HB20090 - Site Contamination Appraisal - 98 Argyle Street by Pitt & Sherry", dated 24 March 2020, must be implemented and maintained for the duration of construction of the development. Specifically:

1. A Contamination Management plan (CMP) should be prepared prior to the commencement of works, which should detail management measures for the protection of construction workers and management of potentially contaminated soil and groundwater, triggers and contingency measures.

2. If significant soil and or groundwater contamination is encountered during site works an appropriately experienced Environmental Scientist should be present to monitor ambient vapours and identify/sample potentially contaminated soil. If significant contaminated soil is identified, it may be required to be excavated with validation sampling of the remaining soil to demonstrate it will not pose a health risk to future occupants.

Reason for condition

To ensure that the risk to workers and future occupants of the building remain low and acceptable.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

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.

CBD AND HIGH VOLUME FOOTPATH CLOSURES

Please note that the City of Hobart does not support the extended closure of public footpaths or roads to facilitate construction on adjacent land.

It is the developer's responsibility to ensure that the proposal as designed can be constructed without reliance on such extended closures.

In special cases, where it can be demonstrated that closure of footpaths in the CBD and/or other high volume footpaths can occur for extended periods without unreasonable impact on other businesses or the general public, such closures may only be approved by the full Council.

For more information about this requirement please contact the Council's Traffic Engineering Unit on 6238 2804.

REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. 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](#).

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.

**10.3 15 Parliament Street, Sandy Bay - Outbuilding (Garage)
PLN-21-128 - File Ref: F21/54501**

Ref: Open [CPC 7.1.3](#), 15/06/2021
Application Expiry Date: 10 July 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for an outbuilding (garage) at 15 Parliament Street Sandy Bay TAS 7005 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 15 June 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-21-128 15 PARLIAMENT STREET SANDY BAY TAS 7005 - 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 2021/00305-HCC dated 25/03/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The garage is not approved for any commercial use.

Reason for condition

To clarify the scope of this permit.

PLN s2

The south eastern eaves must be no higher than 4.23m above natural ground level and the south western eaves must be no higher than 3.32m above natural ground level.

Advice:

The plans submitted to Council on 1st June 2021 are considered to satisfy the above condition.

Reason for condition

To clarify the scope of this permit.

PLN s3

The roof design must be changed so that the gable is located on the front (west) and rear (east) facades, with a maximum ridge height of 4.66m above natural ground level on the western facade.

Advice:

The plans submitted to Council on 1st June 2021 are considered to satisfy the above condition.

Reason for condition

To clarify the scope of this 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 into the existing gully pit located on the 9 CRISP STREET via a drainage easement at the eastern boundary 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.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 - a. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - b. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c. the discharge rates and emptying times; and
 - d. all assumptions must be clearly stated;
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, and parking module (parking spaces, and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for physical controls where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, and parking module (parking spaces, and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, issuing of any approval under the *Building Act 2016*.

The access driveway, and parking module (parking spaces, and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004, and
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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, and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to first occupation or commencement of use (whichever occurs first), 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 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 5

The number of car parking spaces approved to be used on the site is three:

- Two (2) within the Proposed Garage
- One (1) in-place of the Proposed Tandem

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.

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 17a

The palette of exterior colours and materials must reflect the palette of materials of the existing house on site and precinct.

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

Reason for condition

To ensure that development at Sandy Bay 2 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.

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

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.

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.

BEHRAKIS
THOMAS

That the recommendation be adopted.

AMENDMENT

HARVEY
SHERLOCK

That the following advice clause be included:

Advice – driveway surface

The applicant may use suitable paving on the driveway and turning area rather than concrete.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for an outbuilding (garage) at 15 Parliament Street Sandy Bay TAS 7005 for the reasons outlined in the officer's report attached to item 7.1.3 of the Open City Planning Committee agenda of 15 June 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-21-128 15 PARLIAMENT STREET SANDY BAY TAS 7005 - 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 2021/00305-HCC dated 25/03/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN s1

The garage is not approved for any commercial use.

Reason for condition

To clarify the scope of this permit.

PLN s2

The south eastern eaves must be no higher than 4.23m above natural ground level and the south western eaves must be no higher than 3.32m above natural ground level.

Advice:

The plans submitted to Council on 1st June 2021 are considered to satisfy the above condition.

Reason for condition

To clarify the scope of this permit.

PLN s3

The roof design must be changed so that the gable is located on the front (west) and rear (east) facades, with a maximum ridge height of 4.66m above natural ground level on the western facade.

Advice:

The plans submitted to Council on 1st June 2021 are considered to satisfy the above condition.

Reason for condition

To clarify the scope of this 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 into the existing gully pit located on the 9 CRISP STREET via a drainage easement at the eastern boundary 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.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 - a. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - b. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c. the discharge rates and emptying times; and
 - d. all assumptions must be clearly stated;
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, and parking module (parking spaces, and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for physical controls where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, and parking module (parking spaces, and manoeuvring area) design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, issuing of any approval under the *Building Act 2016*.

The access driveway, and parking module (parking spaces, and manoeuvring area) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004, and
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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, and manoeuvring area) must be constructed in accordance with the design drawings approved by Condition ENG 3b.

Prior to first occupation or commencement of use (whichever occurs first), 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 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 5

The number of car parking spaces approved to be used on the site is three:

- Two (2) within the Proposed Garage
- One (1) in-place of the Proposed Tandem

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.

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 17a

The palette of exterior colours and materials must reflect the palette of materials of the existing house on site and precinct.

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

Reason for condition

To ensure that development at Sandy Bay 2 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.

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

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.

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

ADVICE – DRIVEWAY SURFACE

The applicant may use suitable paving on the driveway and turning area rather than concrete.

10.4 8 Old Proctors Road, Tolmans Hill - Public Toilets, Barbecue Shelter and Associated Works
PLN-21-249 - File Ref: F21/54357

Ref: Open [CPC 7.1.4](#), 15/06/2021
Application Expiry Date: 14 July 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for public toilets, barbecue shelter and associated works, at 8 Old Proctors Road, Tolmans Hill TAS 7007. for the reasons outlined in the officer's report attached to item 7.1.4 of the Open City Planning Committee agenda of 15 June 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-21-249 - 8 OLD PROCTORS 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 2021/00582-HCC dated 23 April 2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 17

Lighting and security lighting must operate in accordance with Australian Standard AS4282- Control of the obtrusive effects of outdoor lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

ENG sw1

Prior to first occupation or commencement of use (whichever occurs first), 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.

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 3a

Prior to commencement of use, the parking module(s) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

Reason for condition

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

ENG 4

Prior to commencement of use (whichever occurs first), the access and parking module (parking space for people with disabilities) 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.

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

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

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

ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

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

ENG 1

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

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

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

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

Reason for condition

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

ENV 10

To ensure the protection of trees not approved for removal, in particular the large Blue Gum (*Eucalyptus globulus*), a Tree Protection Plan must be submitted and approved as a Condition Endorsement prior to the issuing of any consent under the Building Act. The Tree Protection Plan must include (but is not limited to) details in relation to the following:

1. installation of tree protection fencing around the Blue Gum, at a distance from the trunk that avoids compaction to the roots, with the installation
2. to occur before works commence and the fencing maintained in position for the duration of the works,
3. the location of the site office and amenities, storage and stockpile areas, machinery storage, washing areas for chemicals, parking etc. outside the tree protection fencing,
4. the location of site access and circulation,
5. no works occurring within the tree protection fencing, and
6. the location of two new trees to replace every tree to be removed during the development.

All work required by this condition must be undertaken in accordance with the approved Tree Protection Plan.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit. Note also condition HER 18 below.

Reason for condition

To ensure the development does not result in unnecessary or unacceptable loss of priority biodiversity or significant cultural values.

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 18

The large *Eucalyptus globulus* (Blue Gum) tree at the centre of the circular footpath must be protected throughout excavation and post construction.

A notation must be added to construction documentation, and that documentation must be submitted and approved as a Condition Endorsement prior to the commencement of work. The notation must;

1. Clearly identify that the tree is a Significant Tree and protected by E 24.0 in the *Hobart Interim Planning Scheme, 2015*.
2. Clearly state that the tree is to be retained and protected during works as per Her 18.

All work required by this condition must be undertaken in accordance with the approved and notated construction documentation

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit. Note also condition ENV 10 above.

Reason for condition

To ensure that significant trees are not unnecessarily destroyed and are managed in a way that maintains their health and appearance.

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 to Open Up and Temporarily Occupy a Highway (for work in the road reserve). 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.

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.

COUNCIL RESERVES

A separate Public Spaces By-law permit to undertake works will be required before works commence. Please allow two weeks for a permit application to be assessed. There may be charges associated with the by-law permit. The permit application form can be found [here](#) or;
<https://www.hobartcity.com.au/Community/Parks-reserves-and-sporting-facilities/Apply-for-a-permit>.

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.

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**10.5 14 Thelma Drive, West Hobart - Dwelling
PLN-21-123 - File Ref: F21/54403**

Ref: Open [CPC 7.1.5](#), 15/06/2021
Application Expiry Date: 18 July 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a dwelling, at 14 Thelma Drive, West Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.5 of the Open City Planning Committee agenda of 15 June 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-21-123 - 14 THELMA DRIVE WEST HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00366-HCC dated 13/05/2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

PLN 4

Vegetation screening must be planted along the south western side of the dwelling, between the dwelling and the Thelma Drive frontage, prior to first occupation. The screening must incorporate a variety of (preferably native) species, a variety of heights, and be of a suitable level of density.

Prior to commencement of works, a landscaping plan must be submitted and approved as a Condition endorsement, in accordance with the above requirement.

All work required by this condition must be undertaken in accordance with the approved landscaping plan. The vegetation must be maintained for the life of the dwelling, and replacement vegetation must be planted if any is lost.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

No plantings within the Council's road reservation is approved by this permit.

Reason for condition

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and assists to integrate the building into the streetscape and surrounds.

PLN s4

The proposed colour and material for the south western wall of the dwelling must help the dwelling integrate with the streetscape.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the colour and finish of the south western wall in accordance with the above requirement. The finish should be in the form of a textured material.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To assist with the integration of the dwelling into the streetscape.

ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, g drains, retaining wall g 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).

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Advice:

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

Reason for condition

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

ENG sw2.1

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

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

Reason for condition

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

ENG sw2.2

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

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

Reason for condition

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

ENG sw3

The proposed development (footings and overhangs) must be designed to ensure the protection and access to the Council's stormwater main.

A detailed design must be submitted and approved as a Condition Endorsement prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed design must:

1. Demonstrate how the design will ensure the protection and provide access to the Council's stormwater main.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the protection of the Council's hydraulic infrastructure.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A stormwater design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 - a. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - b. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c. the discharge rates and emptying times; and
 - d. all assumptions must be clearly stated;
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

ENG 3a

Prior to first occupation or commencement of use (whichever occurs first), the access driveway, and parking module (parking spaces) must be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 (including the requirement for physical controls where required), or a Council approved alternate design certified by a suitably qualified engineer to provide a safe and efficient access, and enable safe, easy and efficient use.

Advice:

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

Reason for condition

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

ENG 3b

The access driveway, and parking module (parking spaces) design must be submitted and approved as a Condition Endorsement, prior to the commencement of work, issuing of any approval under the *Building Act 2016*.

The access driveway, and parking module (parking spaces) design must:

1. Be prepared and certified by a suitably qualified engineer,
2. Be generally in accordance with the Australian Standard AS/NZS 2890.1:2004,
3. Where the design deviates from AS/NZS 2890.1:2004 the designer must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, and
4. Show dimensions, levels, gradients and transitions, and other details as Council deem necessary to satisfy the above requirement.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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) must be constructed in accordance with the design drawings approved by Condition

ENG 3b.

Prior to first occupation or commencement of use (whichever occurs first), 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 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

Prior to first occupation or commencement of use (whichever occurs first), the access driveway and parking module (parking spaces) 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.

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 commencement of use, the proposed driveway crossover on the highway reservation for 14 Thelma Drive must be designed and constructed in general accordance with:

Urban - TSD-R09-v1 – Urban Roads Driveways;

Design drawings must be submitted and approved as a Condition Endorsement prior to any approval under the *Building Act 2016*. The design drawings 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 (ie light poles, pits, awnings) at or near the proposed driveway crossover;
3. If the design deviates from the requirements of the TSD, then demonstrate that a B85 vehicle or a 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 vehicle's underside;
4. Be prepared and certified by a suitable qualified person, to satisfy the above requirements.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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

BUILDING OVER AN EASEMENT

In order to build over the service easement, you will require the written consent of the person on whose behalf the easement was created, in accordance with section 74 of the *Building Act 2016*.

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.

NOISE REGULATIONS

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

FEES AND CHARGES

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

DIAL BEFORE YOU DIG

Click [here](#) for dial before you dig information.

BEHRAKIS
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**10.6 4 /160 Elizabeth Street, Hobart - Alterations and Change of Use to Bulky Goods Sales and Food Services
PLN-21-215 - File Ref: F21/54689**

Ref: Open [CPC 7.1.6](#), 15/06/2021
Application Expiry Date: 22 June 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations and change of use to bulky goods sales and food services at 4/160 Elizabeth Street, Hobart TAS 7000 for the reasons outlined in the officer's report attached to item 7.1.6 of the Open City Planning Committee agenda of 15 June 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-21-215 4/160 ELIZABETH STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN s1

This permit does not approve: the obscuring of any of the existing glazing; or any signage.

Advice:

Obscuring the window is considered to be both placing physical obstructions in front of the window (e.g. office equipment) as well as attaching things to the window like signage or obscure film.

Reason for condition

To clarify the scope of the permit.

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 approval under the *Building Act 2016*.

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

Reason for condition

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

ENG s1

A vehicle movement permit must be applied for and approved, prior to the commencement of use.

Reason for condition

To ensure that the Council's road infrastructure is protected.

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*.

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.

BEHRAKIS
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

10.7 289 Lenah Valley Road, 269 Lenah Valley Road, Lenah Valley and Adjacent Rivulet - Partial Demolition, Alteration, Extension and Associated Hydraulic Infrastructure PLN-21-111 - File Ref: F21/54698

Ref: Open [CPC 7.1.7](#), 15/06/2021
Application Expiry Date: 22 July 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alteration, extension and associated hydraulic infrastructure, at 289 Lenah Valley Road, 269 Lenah Valley Road and adjacent rivulet, Lenah Valley TAS 7008 for the reasons outlined in the officer's report attached to item 7.1.7 of the Open City Planning Committee agenda of 15 June 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-21-111 - 289 Lenah Valley Road and 269 Lenah Valley Road Lenah Valley TAS 7008 & adjacent rivulet - 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).

Any private or private shared stormwater system passing through third-party (in this case City of Hobart) land must have sufficient receiving capacity.

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.

SW 5

Construction of the development connection must not adversely impact the New Town Rivulet.

A construction management plan (CMP) must be submitted and approved as a Condition Endorsement prior to commencement of works. The CMP must be prepared by a suitably qualified and experienced engineer and must:

1. detail the proposed construction methodology and identify all potential risks to the New Town Rivulet and the public reserve riparian zone during construction including but not limited to construction loading, traffic loading, excavation works, footing construction, vibrations, undermining, flood, and environmental harm;

2. provide treatment measures to eliminate or otherwise mitigate to as low as reasonably practicable all identified risks;
3. include a monitoring regime.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

SW 7

Prior to occupancy or the commencement of the use (whichever occurs first), any new stormwater connection must be constructed and existing redundant connection(s) be abandoned and sealed at the owner's expense.

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering drawings must be submitted via the City of Hobart's online request form which is available on its website and approved. The detailed engineering drawings must include:

1. the location of the proposed connections and all existing connections;
2. the size and design of the connection such that it is appropriate to safely service the development;
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure;
4. connections which are free-flowing gravity driven;
5. any connections to watercourse must demonstrate adequate erosion and scour control and minimise hydraulic intrusion. The cross-sections must clearly show the top of bank and invert of watercourse.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings. The approved stormwater connection documents must be included in your plumbing permit application document set and listed in accompanying forms.

SW 9

Prior to occupancy or the commencement of the approved use (whichever occurs first), stormwater detention for stormwater discharges from the development must be installed.

A stormwater management report and design must be submitted and approved as a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). The stormwater management report and design must be prepared by a suitably qualified engineer and must:

1. include detailed design and supporting calculations of the detention tank showing:
 - a. detention tank sizing such that there is no increase in flows from the developed site up to 5% AEP event and no worsening of flooding;
 - b. the layout, the inlet and outlet (including long section), outlet size, overflow mechanism and invert level;
 - c. the discharge rates and emptying times; and
 - d. all assumptions must be clearly stated;
2. include a supporting maintenance plan, which specifies the required maintenance measures to check and ensure the ongoing effective operation of all systems, such as: inspection frequency; cleanout procedures; descriptions and diagrams of how the installed systems operate; details of the life of assets and replacement requirements.

All work required by this condition must be undertaken and maintained in accordance with the approved stormwater management report and design.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

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.

ENV 10

An approved Construction Tree Protection Plan must be implemented and complied with.

A Construction Tree Protection Plan must be submitted and approved as a Condition Endorsement, prior to the commencement of works and prior to the granting of building consent (whichever occurs first). The Construction Tree Protection Plan must:

1. show the tree protection zones (TPZs) of the *Eucalyptus globulous* and *Acacia dealbata* trees identified in the Aboricultural Assessment by Element Tree Services dated 18 March 2021, as determined in accordance with Australian Standard AS 4970-2009 *Protection of trees on development sites*;

2. show all proposed works and development that would encroach into the TPZs and the area of the TPZs where works are to be excluded; and
3. include the location and construction details of fencing/barriers for the tree protection zone that will delineate areas where works are to be excluded.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure the development does not result in unnecessary loss of priority biodiversity values

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.

OPS s1

Approval is granted for the stormwater design as shown on drawing H010 Revision B Project 20.0518 by Gandy and Roberts. If the pipe is proposed to be installed in a different position, this could result in more than a ten percent incursion into the Tree Protection Zone of park trees. Therefore, either the trenches would have to be dug by hand or vacuum pump, or the tree/s would have to be removed at the applicant's cost and the tree's amenity value paid by the applicant.

A Public Spaces By-law permit will be required for the installation works within New Town Rivulet Linear Park. To apply for a by-law permit to undertake works, use this link;
hobartcity.com.au/Community/Parks-reserves-and-sporting-facilities/Apply-for-a-permit

Advice:

Please note that if the pipe is not installed substantially in accordance with the location in the Final Planning Documents, further planning approval may be required.

Reason for condition

To protect the City's trees and the amenity of public parks.

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

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

PERMIT TO CONSTRUCT PUBLIC INFRASTRUCTURE

You will require a permit to construct public infrastructure for the new connection, with a 12 month maintenance period and bond (please contact the Hobart City Council's City Amenity Division to initiate the permit process).

NEW SERVICE CONNECTION

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

COUNCIL RESERVES

A Public Spaces By-law permit is required for installation of the new stormwater pipe within New Town Rivulet Linear Park. You can apply for a permit to undertake works here;
<https://www.hobartcity.com.au/Community/Parks-reserves-and-sporting-facilities/Apply-for-a-permit>.

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.

BEHRAKIS
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

11. **Golf Links Estate Heritage Precinct Provisions** **File Ref: F21/41661**

Ref: Open [CPC 8.1](#), 15/06/2021

That no further controls be introduced into the *Hobart Interim Planning Scheme 2015* in relation to the Golf Links Heritage Precincts Provisions given the Tasmanian Planning Scheme is close to being publicly exhibited.

BEHRAKIS
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Sexton | |
| Thomas | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Ewin | |
| Sherlock | |
| Coats | |

12. Monthly Planning Statistics - 1 May - 31 May 2021
File Ref: F21/54429

Ref: Open [CPC 8.2](#), 15/06/2021

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

During the period 1 May 2021 to 31 May 2021, 90 permits were issued to the value of \$14,148,684 which included:

- (i) 13 new single dwellings to the value of \$7,579,759;
- (ii) 6* multiple dwellings to the value of \$110,000 (*includes the change of use of an existing dwelling to two dwellings; and internal alterations to an existing building to create four new dwellings);
- (iii) 36 extensions/alterations to dwellings to the value of \$5,069,830;
- (iv) 12 extensions/alterations to commercial properties to the value of \$1,032,758;
- (v) No major projects:

During the period 1 May 2020 to 31 May 2020, 48 permits were issued to the value of \$46,131,446 which included:

- (i) 3 new single dwellings to the value of \$910,000;
- (ii) 93 multiple dwellings to the value of \$38,242,335;

- (iii) 22 extensions/alterations to dwellings to the value of \$3,559,000;
- (iv) 7 extensions/alterations to commercial properties to the value of \$2,004,611;
- (v) 2 major projects:
 - (a) 9 Sandy Bay Road, Hobart - demolition and new building for 28 multiple dwellings and associated works within adjacent road reserve - \$7,000,000;
 - (b) 127 Bathurst Street, Hobart - demolition and new building for 55 multiple dwellings, food services, business and professional services, general retail and hire and associated works within the adjacent road reserve - \$30,000,000

This report includes permits issued, exempt and no permit required applications

BEHRAKIS
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

13. Monthly Building Statistics 1 May - 31 May 2021

File Ref: F21/54408

Ref: Open [CPC 8.3](#), 15/06/2021

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

During the period 1 May 2021 to 31 May 2021, 55 permits were issued to the value of \$19,187,498 which included:

- (i) 36 for extensions/alterations to dwellings to the value of \$4,129,609;
- (ii) 10 new dwellings to the value of \$3,033,800;
- (iii) 0 new multiple dwellings; and
- (iv) 1 major project:
 - (a) 85-99 Collins Street, Hobart - Commercial Internal Alterations
\$8,480,000

During the period 1 May 2020 to 31 May 2020, 36 permits were issued to the value of \$9,947,195 which included:

- (i) 15 for extensions/alterations to dwellings to the value of \$2,056,000;
- (ii) 6 new dwellings to the value of \$3,146,228;
- (iii) 0 new multiple dwellings; and
- (iv) 0 major projects:

In the twelve months ending May 2021, 686 permits were issued to the value of \$214,649,847; and

In the twelve months ending May 2020, 575 permits were issued to the value of \$243,777,218

BEHRAKIS
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

14. Local Housing Solutions

File Ref: F21/54013; 13-1-9

Ref: Open [CPC 9.1](#), 15/06/2021

Motion:

“That a report be prepared that investigates ways Council can provide advice to property owners regarding dwelling and property modifications, with a view to increase accommodation options across Hobart.

The advice be tailored for people who might want the flexibility to remain living at their property as their lifestyles might change or as they age, and also to increase the dwelling capacity on their property.

The report would:

- 1) Structure “plain English” explanations as to options for home modifications, planning requirements and how to meet building codes and heritage considerations.
- 2) Identify suitable properties where an increase in the number of dwellings could be possible
- 3) Provide more information for such opportunities in partnership with organisations such as the Australian Institute of Architects or Housing Industry Association
- 4) Consider allocating officer time as point of contact on finding these local housing solutions
- 5) Consider the financial return to Council in order for the program to be successful.”

Rationale:

“ABS figures suggest that in 2016, there were 2.6 occupants per dwelling in Hobart. Much of Hobart’s housing stock is free standing on large blocks. Some properties have been used as family homes and whilst children have since moved on, family homes are still being used with many empty rooms. There may be the chance to down-size on the same property and to increase the number of dwellings, even within the footprint of the original house for example, that may not have been thoroughly contemplated.

The current housing shortage provides Council with good reason to be proactive in finding more solutions by both pointing out what is possible, and where the Planning Schemes limit such options.

Some properties, depending on their zone may lend themselves to having greater numbers of dwellings on the site. This could be floors or sections of a free-standing house that may be strata titled, or could have other freestanding dwellings such as granny flats built on the property.

Providing proactive advice as to possible options that fit with the Planning Schemes and the neighbourhood could help provide dwellings that are low cost but that provide tangible outcomes to Hobart's housing shortage."

The Chief Executive Officer advises:

"That this matter relates to planning and building controls and the promotion of housing outcomes consistent with current controls."

HARVEY
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

COUNCIL RESOLUTION:

- That
1. A report be prepared that investigates ways Council can provide advice to property owners regarding dwelling and property modifications, with a view to increase accommodation options across Hobart.
 2. The advice be tailored for people who might want the flexibility to remain living at their property as their lifestyles might change or as they age, and also to increase the dwelling capacity on their property.
 3. The report would:
 - 1) Structure "plain English" explanations as to options for home modifications, planning requirements and how to meet building codes and heritage considerations.
 - 2) Identify suitable properties where an increase in the number of dwellings could be possible
 - 3) Provide more information for such opportunities in partnership with organisations such as the Australian Institute of Architects or Housing Industry Association
 - 4) Consider allocating officer time as point of contact on finding these local housing solutions

- 5) Consider the financial return to Council in order for the program to be successful.”

Rationale:

“ABS figures suggest that in 2016, there were 2.6 occupants per dwelling in Hobart. Much of Hobart’s housing stock is free standing on large blocks. Some properties have been used as family homes and whilst children have since moved on, family homes are still being used with many empty rooms. There may be the chance to down-size on the same property and to increase the number of dwellings, even within the footprint of the original house for example, that may not have been thoroughly contemplated.

The current housing shortage provides Council with good reason to be proactive in finding more solutions by both pointing out what is possible, and where the Planning Schemes limit such options.

Some properties, depending on their zone may lend themselves to having greater numbers of dwellings on the site. This could be floors or sections of a free-standing house that may be strata titled, or could have other freestanding dwellings such as granny flats built on the property.

Providing proactive advice as to possible options that fit with the Planning Schemes and the neighbourhood could help provide dwellings that are low cost but that provide tangible outcomes to Hobart’s housing shortage.”

The Chief Executive Officer advises:

“That this matter relates to planning and building controls and the promotion of housing outcomes consistent with current controls.”

FINANCE AND GOVERNANCE COMMITTEE

**15. Local Government Association of Tasmania -
Elected Member Nominations for Voting Delegates
File Ref: F21/43017; 13-1-2**

Ref: Open [FGC 6.1](#), 16/06/2021

- That: 1. The Lord Mayor Councillor Reynolds be appointed as the Council’s voting delegate for the Local Government Association of Tasmania as at the 21 June 2021 until the end of the current election term.
2. The Deputy Lord Mayor Councillor Burnet be appointed as a proxy voting delegate for the Local Government Association of Tasmania as at the 21 June 2021 until the end of the current election term.

3. Further nominations be sought to fill the second proxy voting delegate position currently held by Alderman Behrakis for the Local Government Association of Tasmania expiring at end of the current election term.

SEXTON
EWIN

That the recommendation be adopted and that Alderman Behrakis be nominated to fill the second proxy voting delegated position.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

- That:
1. The Lord Mayor Councillor Reynolds be appointed as the Council's voting delegate for the Local Government Association of Tasmania as at the 21 June 2021 until the end of the current election term.
 2. The Deputy Lord Mayor Councillor Burnet be appointed as a proxy voting delegate for the Local Government Association of Tasmania as at the 21 June 2021 until the end of the current election term.
 3. Alderman Behrakis continue to hold the second proxy voting delegate position for the Local Government Association of Tasmania expiring at end of the current election term.

**16. Fees and Charges Omissions: City Governance, City Planning and
Community Life**
File Ref: F21/54301

Ref: Open [FGC 6.2](#), 16/06/2021

That the below fees and charges be adopted for the 2021-22 financial year:

- (i) City Governance – Risk Management - Public liability insurance excess for uninsured hirers and permit holders of \$500;
- (ii) City Planning – City Placemaking - City Building 3D Model – Colour / Textured of \$1,200;
- (iii) Community Life - Doone Kennedy Hobart Aquatic Centre Shower \$5 per person;
- (iv) Community Life - Doone Kennedy Hobart Aquatic Centre Bike Lock Hire \$25 security deposit;
- (v) Community Life - Doone Kennedy Hobart Aquatic Centre Car Park Casual Parking for non-patrons \$10 per hour;
- (vi) Community Life - Doone Kennedy Hobart Aquatic Centre cash-out fee \$2 per transaction.

SEXTON
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

17. Outstanding Parking Debt - Clamping of Vehicles

File Ref: F21/52826; 18/40

Ref: Open [FGC 6.3](#), 16/06/2021

That the Council not pursue the clamping of vehicles for owners of vehicles who have at least three outstanding infringements of 90 days old.

SEXTON
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

18. City of Hobart Rate Postponements Policy - Amendment

File Ref: F21/54909

Ref: Open [FGC 6.5](#), 16/06/2021

- That:
1. The Report 'Council Policy – Rate Postponements' be received and noted.
 2. The Council adopt the revised Council Policy - Rate Postponements marked as Attachment A to item 6.5 of the Open Finance and Governance Committee agenda of 16 June 2021.
 3. The Chief Executive Officer be authorised to finalise the Council Policy – Rate Postponements and arrange for it to be made available from the City's website.

SEXTON
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Sexton | |
| Thomas | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Ewin | |
| Sherlock | |
| Coats | |

PARKS AND RECREATION COMMITTEE

19. Response to Petition - Street Tree Planting in Rupert Avenue, Mount Stuart
File Ref: F21/47038

Ref: Open [PRC 6.2](#), 10/06/2021

- That: 1. The City undertake detailed investigations and design work for the potential installation of new street trees within Rupert Street, Mount Stuart, involving the following:
- (i) Local area consultation and engagement;
 - (ii) Determination of potential locations and number of tree plantings, including suitable species selection;
 - (iii) Traffic safety audit and traffic impact assessments;
 - (iv) Impact of on-street parking availability;
 - (v) Cost assessment for the installation of the trees within the road reservation to ensure appropriate tree root treatment and backfilling with structural soil to ensure surface surrounds remain trafficable; and
 - (vi) Prioritisation of any installation to consider:
 - (a) The timing of any potential road works scheduled for the Street.
 - (b) Available funding (that is to be accommodated within the City's existing budget provision for its wider street tree planting program).

2. Elected Members be kept informed of the matter via advice memorandums.
3. The petitioners be advised of the Council's decision.

BRISCOE
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

20. Response to Petition - Regular Closure of Pinnacle Road to Allow Safe Access for Walkers, Cyclists and Others
File Ref: F21/16046; 18/12

Ref: Open [PRC 6.3](#), 10/06/2021

- That:
1. The Council note the request from the petitioners seeking to regularly close Pinnacle Road to vehicle traffic to allow for pedestrian and cycling users to access the road.
 2. The proposal not be supported due to resource and cost implications.
 3. The report titled *Response to Petition – Regular Closure of Pinnacle Road to Allow Safe Access for Walkers, Cyclists and Others* be provided to the City of Hobart Access Advisory Committee for consideration and comment.

4. The petitioner be advised of the Council's decision.
 - (i) The correspondence to include an outline of the process of holding such an event and approximate costs in temporarily closing Pinnacle Road.

BRISCOE
EWIN

That the recommendation be adopted with the vote for clause 3 being taken separately to clauses 1, 2 and 4.

MOTION CARRIED
(Clauses 1, 2 & 4)

VOTING RECORD

| AYES | NOES |
|--------------------------|------|
| Deputy Lord Mayor Burnet | |
| Briscoe | |
| Sexton | |
| Thomas | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Ewin | |
| Sherlock | |
| Coats | |

MOTION CARRIED
(Clause 3)

VOTING RECORD

| AYES | NOES |
|--------------------------|----------|
| Deputy Lord Mayor Burnet | Behrakis |
| Briscoe | |
| Sexton | |
| Thomas | |
| Harvey | |
| Dutta | |
| Ewin | |
| Sherlock | |
| Coats | |

**21. Franklin Square Amenities Building - Proposal to Install Luggage Lockers
- Update**
File Ref: F21/42585; 17/262

Ref: Open [PRC 6.4](#), 10/06/2021

That: 1. The Council rescind clause 2 of the Council resolution in regards to item 28 of the Council agenda of 17 June 2019 titled "Franklin Square Amenities Building – Proposal to Install Luggage Lockers", being:

"That approval be provided for the General Manager to enter negotiations with 'ezy Lockers' for a partnership facilitating the provision of lockers at Franklin Square on a revenue sharing arrangement".

2. The City Innovation Division continue to progress Action CV105 – Smart Locker Trials - within the agreed Connected Hobart Action Plan.

BRISCOE
THOMAS

That the recommendation be adopted.

MOTION CARRIED BY ABSOLUTE
MAJORITY

VOTING RECORD

AYES

NOES

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

22. CLOSED PORTION OF THE MEETING

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Legal action involving the Council
- Proposal for land the Council has an interest in
- Matters relating to possible litigation involving the Council

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. 6.1 PLN-17-430 - 242-250 Elizabeth Street, Hobart & 236 240 Elizabeth Street & 234 Elizabeth Street & 213 Murray Street & 68 Warwick Street & 72 Warwick Street & 222 228 Elizabeth Street & Adjoining Right of Way – Appeal – Mediation
LG(MP)R 15(4)(a)
- Item No. 7 129 Derwent Park Road, Derwent Park (Lutana Quarry) - Lease - Southern Waste Solutions - Amended Proposal
LG(MP)R 15(2)(f)
- Item No. 8 Parking Operations - Cessation of Quarterly Updates on Over-Parking Infringements
LG(MP)R 15(2)(i)
- Item No. 9 Risk and Audit Panel Minutes - 27 April 2021
LG(MP)R 15(2)(g)

SEXTON
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

There being no further business the Open portion of the meeting closed at 6.33 pm.

**TAKEN AS READ AND SIGNED AS A
CORRECT RECORD THIS
5TH DAY OF JULY 2021.**

CHAIRMAN